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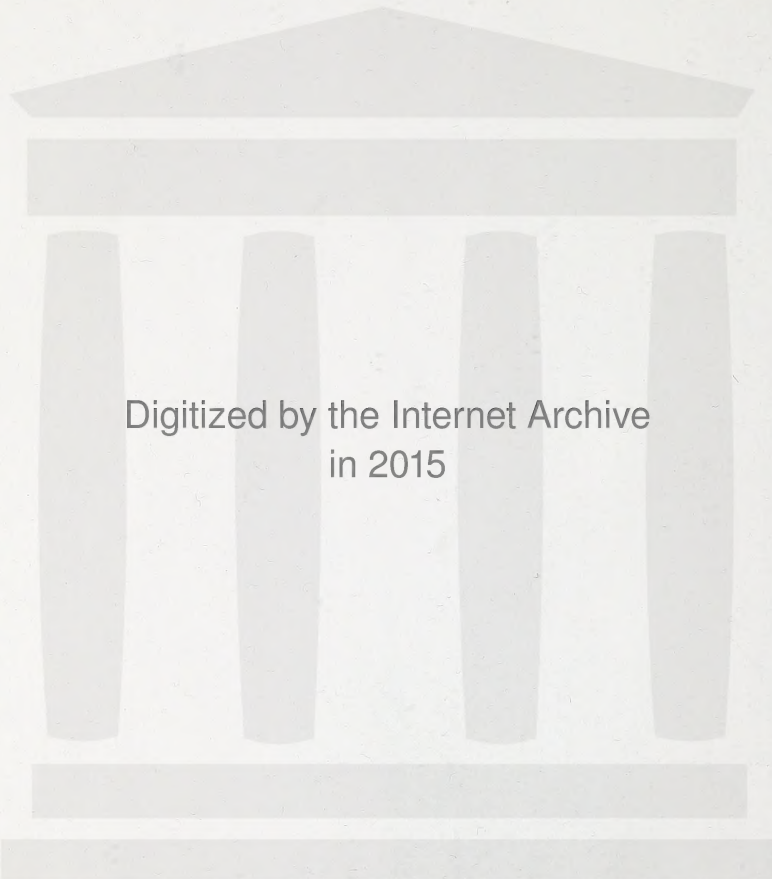
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VIEW OF KINGSTON, 1819. FROM A PAINTING OF JOHN VANDERLYN THE ARTIST.

THE

1628841

HISTORY OF KINGSTON,

NEW YORK.

*FROM ITS EARLY SETTLEMENT TO THE
YEAR 1820.*

Holland Society of New York

BY
MARIUS SCHOONMAKER,
OF KINGSTON.

NEW YORK:
BURR PRINTING HOUSE,
18 JACOB STREET.
1888.

1628841

J. E. Westbroek Esq.

*With regards of the
Author*

Dedication.

TO THE

Holland Society of New York.

IN view of the object of your organization as stated in your articles of association, I propose to dedicate to you this volume, comprising the History of Kingston, one of the early Dutch settlements in the State of New York, and during the Colonial period one of the most prominent places in the Colony. The history is brought down to 1820, thus embracing the interesting era of its distinctively Dutch character. The struggles and sufferings of its inhabitants during the Indian, French and Revolutionary Wars;—their firm and unwavering stand in defence of freedom and human rights;—and their heroic sacrifices during all the years of conflict through which they passed, are worthy of being recorded and preserved in the annals of our country.

It is with that object the book has been prepared, and I now dedicate it to the HOLLAND SOCIETY OF NEW YORK, which includes among the purposes of its formation "the collection and preservation of all matters in relation to the genealogy and history of our Dutch Ancestry."

M. SCHOONMAKER.

NOVEMBER, 1888.

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PREFACE.

BY the kindness of Miss Kate Vanderlyn, of this city, I have been enabled to produce as a frontispiece for this book a copy of the sketch of Kingston and the Catskill Mountains, which was made in 1819 by her uncle, John Vanderlyn, the artist. The sketch was taken from the bluff of rocks a little to the east of the present junction of Wall and Fair streets. It presents in the foreground the fields, with their dividing fences, lying between the artist and St. James' Street, which was then the most southerly street. Those fields appearing on the sketch, with the division fences, were then a part of the territory designated as the "Arm-bowery" (poor farm). They are now thickly covered with dwellings and business places. In the background are the lordly Catskills, with the village lying between.

I am also indebted to her for the loan of a miniature of the artist taken in Paris, from which the engraving in the text was made. The likeness in the text of Charles De Witt, of Greenkill, was made from a miniature loaned for the purpose by his grandson, Richard De Witt, of Greenkill.

This book, which has been prepared at the earnest request of some kind friends, even if it does not meet their full expectations, I trust will not be disappointing.

There are great and, indeed, insurmountable difficulties in preparing a complete history of Kingston, on account of the loss and destruction of public records and other valuable papers.

I am, however, greatly indebted to my friends: Richard De Witt, Sutherland De Witt, and Hon. David M. De Witt, kinsmen of Charles De Witt, of Greenkill; John W. Hasbrouck, of Middletown; Frederick E. Westbrook, Esq., of New York; and Thomas Beekman and Kate Vanderlyn, of this city, for valuable material which has been freely used in the accompanying pages.

As stated elsewhere in regard to the chapter of ancestral notes, I am indebted to Cornelius H. Van Gaasbeek, Jr., of this city, for a large portion of the material used in its compilation. Why it is not more complete has been the lack of ability to procure the necessary material.

The scope and object of the work has been to give a compact but complete history of the place, the customs and pursuits of its inhabitants, and their connection with public events from its first settlement down to the year 1820, which embraces the whole of the interesting era of its distinctively Dutch character. This period also covers the exciting events and incidents of the Indian and French wars and the struggles of the Revolution. In a strict sense the work is a history of Kingston ; but at that day Kingston occupied such an important position in the country at large, and in the military and civil events that preceded the war for independence, and also in that great contest, that its history during the colonial times, to be fully understood and elucidated, draws with it a great deal of the provincial history.

I have, therefore, found it necessary to refer quite extensively to the contests of the people and the colonial assemblies with the crown and the colonial governors, involving the fundamental principles of freedom which led to the Revolution. I have endeavored to trace them from their origin and indicate their progress and development for nearly a century, until their culminating triumph in the Declaration of Independence.

The work as it is is now given to the public, but not at as early a date as was originally intended. The delivery to the press was delayed for a time on account of an apprehension, on the part of the author, that the demand therefor was not sufficient to justify the expense attending its publication. Whether his fears were well founded or not will be shown by the character of its reception.

M. SCHOONMAKER.

KINGSTON, November, 1888.

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HISTORY OF KINGSTON.

CHAPTER I.

TO THE CLOSE OF THE FIRST ESOPUS INDIAN WAR, AND CONCLUSION OF TREATY OF PEACE, 1660.

IT is now little more than two centuries since the Red man reigned supreme over this, his then pleasant hunting-grounds, teeming with game and the wild beasts of the forest. What changes have taken place within that period ! The native Indian, with his game, has disappeared ; and with the onward march of religion, science, education, and industry a prosperous city, teeming with life, wealth, and industry, has taken the place of the wandering savage and the lordly trees of the forest.

I am at times amazed when I contemplate the changes which have taken place within the territory of the city of Kingston, even within my own limited recollection. I remember Rondout when it was a little hamlet called the Strand, or Kingston Landing, with about half a dozen dwellings and storehouses all told ; and Wilbur, with two mills, a distillery, and three dwellings called Twaalfskill ; and Kingston village not to exceed two hundred dwellings and half a dozen stores, keeping a general country assortment ; the local commerce limited to four sloops, each making a full trip every fortnight to and from New York.

And what have we now ? A city of over twenty thousand inhabitants, and with a commerce which *daily* exceeds the *annual* commerce in value of my first remembrance. My task lies in the history of a place embracing such changes, I fear my ability to do it justice. Those who have urged me to the task I trust will not be disappointed at the manner of its fulfilment, if my lamp of life continues to burn sufficiently long to accomplish it.

In the history of a small territory such as this, necessarily its first settlement may be distinguished by some thrilling narratives and encounters with the savages, but thereafter it must settle down to a great extent into family history and narratives. Indeed, the history of a community is necessarily but little more than a compilation and combination of family histories. There are always in

a stirring, active business place some men of mark, who by their activity and energy give character to the place. And it is such men, and not those who, like the turtles, draw their heads within their shells, who necessarily demand prominence in historical reminiscences.

Of course little other than arrangement can be original in such a work as this. True history is only a record of what has been, and the historian must necessarily gather his principal facts from former chroniclers of the times—contemporaneous chroniclers, so far as they may be found—and traditions received from ancestry. These remarks apply to times and seasons beyond the personal recollections of the chronicler. When those are reached, if life is spared, his effort will be to make them impartial and correct delineators and records of the times.

In the year 1609 Hendrick Hudson, in a ship called the Half-moon, furnished him by the Dutch East India Company, departed from Holland in search of a passage to the East Indies. After reaching America, he coasted along its shores to find the desired passage. On the 12th of September, 1609, he entered a narrow strait, which led him to the magnificent river which has since immortalized his name. He anchored his ship and remained several days in the beautiful bay bordering on Manhattan Island, and was visited by the astonished natives, "clothed in mantles of feathers and robes of fur." They manifested not only great friendship but reverence for him and his companions, as a superior race of beings, messengers of an almighty power. Hudson then proceeded up the river, which some of the Indian tribes called "Cahohatatia," which translated means river of the mountains, and explored it to a point a short distance beyond the present site of Albany, stopping at several places on the route, and was everywhere met with friendly greeting by the Indian tribes.

On his return to Europe, although detained by the British and prevented from returning to Holland, he transmitted to his Amsterdam patrons a most glowing description of his discoveries connected with the "river of the mountains."

The next year the East India Company of Holland sent a ship to trade with the natives. Finding their first venture profitable, they soon established trading posts at Manhattan, Fort Orange, now Albany, and at some intermediate points along the river, including the mouth of the creek at Atkarkarton, afterward Esopus, now Kingston. At this last-mentioned place the valley of the several large streams (the Rondout, the Wallkill, and the Esopus), all concentrating at that point and extending far into the interior, furnished facilities for a trading post; one of the Indian trails led across to the Delaware River. The mountains and

forests through which these valleys extended abounded with game and animals valuable for their furs.

On the 11th day of October, 1614, the States-General of Holland granted to "the United New Netherland Company the exclusive right to visit and navigate all the lands situate in America between New France and Virginia, the sea coast of which lies between the fortieth and the forty-fifth degree of latitude, and which are named the New Netherlands; and to navigate or cause to be navigated the same for four voyages within the period of three years, to commence from the first day of January, 1615, or sooner."

Under the authority thus granted the company took possession of the Hudson River, and built three forts or redoubts thereon—one on Castle Island just below Albany, one on the Battery at New York, and one at the mouth of the Rondout Creek.

After the expiration of this patent, and on the 3d of June, 1620, the States-General incorporated the West India Company with enormous and almost unlimited powers. In the name of the States-General it could make contracts and alliances with princes and nations, build forts, administer justice, appoint and discharge governors, soldiers, and public officers, and promote trade.

The government of the company was vested in five separate chambers of managers: one at Amsterdam, managing four ninths; one in Zeeland, two ninths; one at Dordrecht, one ninth; one in North Holland, one ninth, and one in Friesland and Groningen, one ninth.

General executive power, for all purposes except war, was intrusted to a board of nineteen delegates, called the "College of the XIX."

The time of the patent was for twenty-four years, and the New Netherlands was included within their grant.

At this time, when the Dutch sought to acquire possession of the Hudson River and adjoining territory, that on the west of the Hudson below Albany was occupied by the race of Indians known as the Algonquins, which race was divided into numerous bands under local names. The band or tribe at Kingston and its immediate vicinity are generally known and designated as the Esopus Indians, sometimes named the Warynawancks.

The West India Company was specially organized for commercial and trading purposes, and therefore its principal object was the control and possession of the New Netherlands, for the purpose of conducting and monopolizing the rich and very profitable trade in furs with the natives. As a necessary consequence, the earliest immigrants were merely a company of traders. But that state of things did not and could not long continue. The Reformation and the subsequent religious persecutions drove many of the conscien-

tious servants of God to seek an asylum beyond the reach of the tyrants of Europe. The first of those arriving here in the vicinity of Manhattan, with the intention of remaining, was a company consisting of about thirty families of Walloons, who had fled to Holland from France to avoid persecution. They settled on Long Island, near what is now the Navy Yard, about the year 1625. Others arriving at the same time went to Fort Orange, now Albany.

The Dutch West India Company purchased the island of Manhattan from the Indians for a sum equivalent to about twenty-four dollars of our money. Peter Minuit, the first agent of the company, under the title of governor, built a house upon the island and resided there. The lower end of the island was then occupied by a fort and a few cottages, and was called New Amsterdam.

Governor Minuit continued his agency for several years, apparently cultivating the friendship of the savages and the interest of his employers. Upon his resignation he was succeeded by Wouter Van Twiller, who, although a good tradesman, was lamentably deficient in the science or art of government, but, at the same time, had the wisdom to pursue a peaceful and conciliatory policy with the savages.

About 1638 Governor Van Twiller was succeeded in his agency by Willem Kieft. He was a man entirely unfitted for his position. Avaricious, dishonest, unscrupulous, and arbitrary in his measures, he kept the colony in a continual turmoil; drove the Indians to desperation and madness, aroused Indian wars and massacres, and soon had scarcely a friend in the colony.

One of his first steps against the Indians was, in 1638, to attempt the levy of a tribute upon the river Indians. They rebelled against its enforcement. About 1640 the Raritans, a tribe living along the river of that name, were accused of stealing some hogs. Governor Kieft at once, without making any inquiry into the justice or falsity of the charge, sent a band of soldiers to punish them, who fell upon them unawares, killed a number, and destroyed their corn. Another instance is related by a chronicler of the times:

"A Dutchman sold to a young Indian, a son of a chief, brandy; and, when he was intoxicated, cheated and drove him away. The Indian, raging with drink and maddened by the treatment he had received, went to his home, procured his bow and arrows, returned and shot the Dutchman dead. The chiefs of the murderer's tribe hastened to the governor to explain the matter, and to pay the price of blood; they wished for peace, but the governor was inexorable. He demanded the murderer, but he had fled to a neighboring tribe. 'It is your own fault,' exclaimed the indignant chief; 'why do you sell brandy to our young men? it makes them crazy.' Just at this time came a company of Mohawks, all armed

with muskets, to demand tribute of the enfeebled river tribes. The latter fled to the Dutch for protection. 'Now is the time,' urged the people, 'to obtain forever the friendship of the Indians living around us by their protection.' But Kieft, true to his nature, deemed it the proper time for their extermination.

"The unsuspecting victims of this scheme of treachery and cruelty were with the tribe of Hackensacks, just beyond Hoboken. About the hour of midnight some soldiers from the fort and freebooters from the ships in the harbor passed over the river, and soon thereafter were heard the shrieks of the dying Indians. The carnage continued; the poor victims ran to the river to pass over to their supposed friends at New Amsterdam. But they were driven into the water. The mother who rushed to save her drowning child was pushed in, that both might perish in the freezing flood; and another company of Indians, trusting to the Dutch for protection, who were encamped on the island a short distance from the fort, were murdered in the same manner. In the morning the returning soldiers received the congratulations of Kieft."

The settlers, when they became aware of the facts, were indignant and horror-stricken, and condemned the atrocity in no measured terms. As might have been anticipated, the anger and indignation of the savages were aroused to the highest pitch of fury, and war was inaugurated which knew no mercy. Wherever a white man's hut was situated, there was sure to ascend the smoke of conflagration. All the settlers who could escape the fury of the savages rushed to the fort for protection, and all outside settlements were deserted. Some in their terror returned to Holland. If at any time before that there had been any settlers in Esopus, as some allege, their homes were then deserted and abandoned. The war was thus started in the winter of 1643, and waged with slight interruption, and with more or less brutality, for two years, before peace was concluded. Kieft, whose conduct was censured by his superiors, was soon after recalled, and set sail for England, which country he never reached, being shipwrecked and drowned on the passage.

In 1646 Petrus Stuyvesant was appointed to succeed Kieft as governor. He was honest and trustworthy, but had a most difficult task before him to overcome the effects of Kieft's misgovernment and treachery.

In 1652 considerable difficulty arose at Rensselaerwyck in regard to title and occupancy of land, caused by the patent of the Patroon Van Rensselaer overlapping the occupancy of some settlers. Parties became very violent in their quarrels, which, in a number of cases, led to personal conflicts. Thomas Chambers, an Englishman, Mattys Hendrix, Christopher Davis, and Johan De Hulter, who had

settled on the disputed territory, and several of their neighbors, desiring peace and comfort, left for Atkarkarton (Esopus), "an exceedingly beautiful land," and formed a settlement there. Although there is little doubt that Europeans had resided in that vicinity before, still this immigration of Chambers and his neighbors was the first approach to a permanent settlement.

Here Chambers, in 1653, received a gift from the natives of about seventy-six acres of land, described as bounded "Easterly and Westerly by the woods, and running Northerly and Southerly by the Kill." This grant, therefore, must have been of the low land along the creek, as that was prairie land, which makes the description intelligible. Some of his associates also purchased land from the Indians about the same time, who afterward received confirmatory grants thereof.

Settlers now began to come in rapidly, and soon there was quite a colony gathered together. As early as 1655 the wife of Cornelis Barentse Slecht was licensed "as a midwife for Esopus."

Each of the settlers at that time had apparently his territory allotted to him and settled thereon, so that they were scattered and entirely unprotected from the savages.

It appears that Johan De Hulter, in 1654, purchased a tract of one thousand acres from the Indians, bounded on the north by the lands of Thomas Chambers, and was patented by his widow in March, 1657. This grant, it was claimed by some, covered the site of the old village of Kingston, but was denied by Governor Stuyvesant. This settlement remained in peace for only a short time, for in 1655 the Indians, on both sides of the river, made war upon the Dutch at New Amsterdam and its vicinity, and the settlers at Esopus, fearing an attack and being without any means of defence, fled from their homes to places of comparative security, leaving their dwellings and flocks to the mercy of the savages. As soon as peace was concluded, which was in the following fall, they returned to their homes to find that much had been appropriated and destroyed by the Indians.

With residences thus scattered, the natives were living around and among them, which resulted in frequent depredations the one upon the other; and, as appears to be always the case, the settlers were not careful to keep the "fire-water" from the Indians' lips. That in one instance resulted in a drunken spree near Ponckhockie, in which the Indians in their craziness killed one man, a skipper named Harmon Jacobs, while standing on board his vessel; and the dwellings of Jacob Adriance and Andries Van der Huys, located at Ponckhockie, were set fire to and burned to the ground.

Such was the fear created in the minds of some of the settlers, that they submitted to some of the most humiliating exactions

from the Indians, as appears by the character of their call upon Stuyvesant, the governor, for assistance. In it they say: "The savages compel the whites to plough their maize land, and when they hesitate threaten, with firebrands in their hands, to burn their houses. . . . That the chiefs have no control of their men. We are locked up in our houses and dare not move a limb."

The extent of their settlement at that time, May, 1658, may be judged by the fact that in such application to the governor they state that "they had 990 schepels of grain in the ground, and had 60 or 70 people, who support a reader at their own expense."

Immediately on receipt of the news, May 28th, the council directed the governor to proceed with sixty or seventy men to the relief of the inhabitants.

He arrived there on Wednesday; the next day being Ascension Day, he notified the people to meet him after service in the afternoon. He told them the killing of one man and the burning of two buildings was not enough to make war. They must concentrate and form a village with a stockade, so as to be able to protect themselves. They objected on account of their poverty and their inability to house their crops so near harvest, and they wished the troops to remain and to have the village built after harvest. He finally told them that there was no security as they then lived; they must concentrate then or remove to Fort Orange or Manhattan; or if they remained as they were, they must give him no more trouble. If they agreed to concentrate, he would remain until the work was complete.

The next day, the 30th of May, he had a conference with about fifty warriors, who met him under a tree. Stuyvesant then recounted to them their insolence to the whites, their murders, and their burning of dwellings; still he did not come to make war, but to punish the guilty; and asked them why they acted thus, and were constantly threatening the inhabitants. After a pause one of the chiefs arose and said: "The Shawanakins sold our children drink, and they were thus the cause of the Indians being made crazy, which was the cause of all the mischief. The sachems could not always control the young men, who would often fight and wound. The murder was committed not by one of our tribe, but by a Minnisink, who had skulked away among the Haverstraws. The one who fired the two small dwelling-houses had run away, and dared not cultivate his own soil. We are innocent, not actuated by malice, do not want to fight, but cannot control the young men."

Stuyvesant replied that if any of their men wanted to fight, let them step forth. He would place man against man; yes, twenty against thirty or forty of the hotheads. But that it is unmanly to threaten farmers, and women and children, who are not warriors.

If it was not stopped he would be compelled to retaliate on old and young, on women and children. "You must repair all damages, seize the murderer if he comes among you, and do no further mischief. The Dutch are now going to live together in one spot. It is desirable that you should sell us the whole of the Esopus land and remove farther into the interior; for it is not good for you to reside so near the Shawanakins, whose cattle might eat your maize, and thus cause frequent disturbances." The matter was settled upon the terms thus dictated by Stuyvesant, and the savages departed after exchanging some small presents.

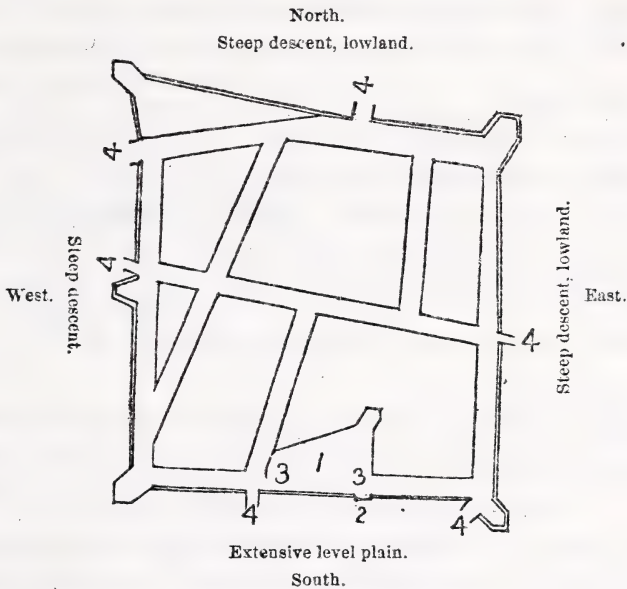
The citizens finally came to terms with Stuyvesant, and entered into a written agreement, which translated is as follows: "We, the subscribers, assembled inhabitants of the Esopus, having found from time to time, through a very sorrowful experience, and to the damage of us all, the faithless and unbearable boldness of the Indians' barbarous nature—how uncertain it is to depend on their words—how careless and perilous it is to live so separate and wide apart among such a faithless and insolent nation, have (on the proposition and promise of the Director-General, the lord Petrus Stuyvesant, to furnish us with a night-guard, and in case of necessity with further help) resolved among one another, that in order to better protect ourselves, our wives and children, it is necessary to leave our separate dwellings immediately after the signing of this, in the most speedy manner possible, and to concentrate in such place as the Lord Director shall choose, and surround it with palisades of proper length; and in order that through these means, if it please the all-good God to lend his blessing, we may be better prepared to preserve ourselves and ours from a sudden onslaught of the Indians, we bind ourselves one to another, after prayer to the Lord, to take the means named in hand without any objection, and to complete them as speedily as possible, under a fine of one thousand guilders, to be paid for the benefit of the place, by any one who may oppose the same by words or deeds. In further witness whereof we have hereto set our own hands, in presence of the Lord Director-General and Govert Loockermans, old Schepens of the City of Amsterdam in New Netherland. Done the last of May, 1658.

"Signed: Jacob Jansen Stol, Thomas Chambers, Cornelis Barentse Slecht, mark of Willem Jansen, Peter Dercksen, Jan Jansen, Jan Broersen, Dirck Hendricksen Graef, Jan Looman."

After this agreement was signed, the first thing requiring attention was the selection of the site for the village. That, of course, was a matter of primary importance. Stuyvesant wisely selected the site of what subsequently became the thickly settled part of the old village of Kingston, comprising the tract of land having

North Front Street on the north, Main Street on the south, Green Street on the west, and East Front Street (now Clinton Avenue) on the east; thus being protected by very steep banks on three sides, and exposed on a level only at the south.

The location appears to have been satisfactory to all, as the inhabitants proceeded at once to remove their dwellings and build the stockade. The selection was made on the 31st day of May, and in three weeks' time the palisade was substantially completed, the buildings removed, a bridge thrown over the brook beyond the gate near the northwest corner of the stockade, and a guard-house and temporary barracks built.



PLAN OF STOCKADE, WILTWYCK, 1658.

The outside lines represent the stockade.

No. 1. The fortified part.

No. 3. The gates to fortified part.

No. 2. The block-house.

No. 4. The outside gates.

The double lines inside are the streets.

The location of the stockade was such that on the north, east, and west sides it ran along the brow of a steep declivity, with small streams of water, through wet marshy ground at the foot, and an extensive prairie flat beyond on the north and east sides; and on the west was a valley, with a brook running through the centre, bordered by considerable marshy ground. The last-named brook was very soon utilized for milling purposes; on the south there was a very extended sandy flat terminating in the narrow neck encompassed by the stockade.

In the illustration, the outside lines represent the stockade; Fig. 1, the fortified part, including guard-house and barracks; 2, the block-house; 3, the gates to the fortified part, and 4, the outside gates. The average length of the area included in the stockade was about thirteen hundred feet and the width about twelve hundred feet.

Shortly after the Dutch had begun their stockade they saw a band of Indians approaching and at first apprehended trouble, but soon found that the mission was friendly. They had come to give the land on which the village was commenced as a present to "the grand sachem" of the Hollanders, "to grease his feet, as he had taken so long and painful a journey to visit them."

Stuyvesant then, after the completion of the work, and leaving a detail of twenty-four soldiers as a guard, left on the 24th of June for his headquarters at New Amsterdam.

Peace with the Indians promised to be of very short continuance. Distrust appeared to exist on both sides. On the 15th of October, 1658, Director Stuyvesant had a conference with several sachems or chiefs of the savages. After the sachem had affirmed their authority to enter into a binding agreement, the affronts and injuries which they had done to the Esopus Christians were rehearsed to them as follows:

"They or their tribe had killed two horses of the Widow Hulter."

"That about a year or eighteen months ago they had wounded with a hatchet one Jacob Adriaensen on the head, while in his own house, in consequence of which he is still blind of one eye, and they had also mortally wounded his little child."

"That since the Spring they had burned his house and plundered his goods, also killed a dutchman on one of the Sloops."

"That they had stolen and taken with them from the aforesaid burned house some duffels and shirts of Adriaen Van der Sluys."

"That they had compelled the farmers to plough their land for corn and had threatened Cornelis Barentsen Slecht to burn his house, in case he should refuse, taking a firebrand for that purpose and running up under the roof to fire the barn."

"That they had extorted at different times new payments from the Dutch, who had bought land from them and paid for it according to the bill of sale, and had inflicted many more threats, affronts and damages upon our nation, which have been the cause that the People have been obliged to pull down their houses and move close together, and that the Director General has been forced to close this place by palisades, with great labor and expenses and to send here and keep so many soldiers."

"That they have killed again, contrary to their promise, a

horse and several hogs belonging to Jacob Jansen Stoll for all which losses caused by them proper satisfaction is demanded."

The Indians made professions of friendship and a desire to make satisfaction. But the director-general, after waiting until the 18th, the Indians not returning on that day, as promised, became satisfied that they had no intention of giving satisfaction. He therefore returned to New Amsterdam on the 19th of October, 1658, leaving instructions with Ensign Dirck Smit that he should join to the old garrison twenty-five men from the military brought up, so that they should number fifty men, and he to have the supreme command. With the assistance of the inhabitants he was immediately to make the enclosed place secure, and mount a proper guard at the two gates and the guard-house, in daytime as well as at night, and not allow any savage to pass through except upon permission of Jacob Jansen Stoll and Thomas Chambers. Until further order he was not to act hostilely against the savages unless they began first and harmed the Christians. Then, with the advice of said Stoll and Chambers, and assistance of the inhabitants, he was to act defensively, and apprehend, resist, and pursue the savages as occasion might require.

On the 29th of October, 1658, Messrs. Stoll, Chambers, and Smit reported to the director-general, by letter, that the savages on the previous day had released the large tract of land as demanded, and expected some presents in return.

Mutual distrust continued to exist between the whites and the Indians. The Dutch suspected that the savages intended to attack and slaughter them when opportunity offered, while the savages had no confidence in the sincerity of the director-general, he having avoided or neglected to send them the promised presents as a guarantee of peace. As usual with the savage, the withholding of the presents was an evidence of want of sincerity. For that reason they apprehended that it was his intention to surprise and destroy them. In this critical condition, ready to blaze at the touch of the slightest spark, they lingered along through the winter and summer of 1659 and until the fall, when a dastardly outrage on the part of the whites, entirely unprovoked and uncalled for, and without excuse, set the warwhoop resounding throughout the country, accompanied with all the horrors of savage warfare.

A few Indians—some eight in number—were employed by Thomas Chambers, who lived on his farm and had not removed into the village, to husk his corn, at which they were engaged until late in the evening.

During the evening they asked for brandy. When they had finished their work he gave them a large jug of it. They went to a brook near by and had their frolic. As the liquor operated the

noise and yelling and drunken orgies increased. It became so great that the commandant of the guard ordered a squad of his men to march out of one of the gates and return by the other, so as to see what the turmoil was, but not to commit any violence. He did so, and reported that it was a few Indians on a drunken spree.

That was enough to set some indiscreet hotheads in motion, of whom there is always a supply to curse any community; and Jacob Jansen Stoll called on several people to follow him and attack the Indians. Accordingly, against the orders of Ensign Smit, he left with Jacob Jansen Van Stoutenbergh, Gysbert Phillipse Van Velthuysen, Thomas Higgins, Evert Pels, Jan Arentsen, Barent Harmensen, Martin Hoffman, and Abel Derckson, and attacked the savages as they lay huddled together in drunken stupor, firing a volley of musketry among them, killing some and wounding others. It is said the unfortunate wretches immediately jumped up: one was knocked on the head with an axe; a second was taken prisoner; a third fled; a fourth, while lying intoxicated, was cut on the head with a cutlass, which aroused him from his stupor, and he made off. The Dutch thereupon returned to the fort with great speed, after that *most valiant* exploit, murdering Indians stupidly drunk.

Ensign Smit, perceiving that he could not control the action of the settlers, determined at once to return with his command to New Amsterdam, and leave the settlers to the consequences of their acts. He therefore announced his intention to leave the next day, and made preparations accordingly.

The people became wild with excitement, and made earnest opposition. They did not know what to do in the predicament in which they were placed. Smit would not yield, and insisted upon going. Finding they could do nothing by persuasion, Stoll and Chambers quietly got possession of all the boats in the neighborhood, so that Smit was thus deprived of the only means he had of transportation. In this emergency, securing one canoe, he sent Christopher Davis to the governor with information of the situation of affairs. He was escorted to the river by eight soldiers and about a dozen citizens, under the command of Sergeant Laurentson. This was on the 25th of September, 1659, about four days after the massacre. When this party was returning from the river, it fell into an ambuscade near where the City Hall is now situated. The sergeant and thirteen men at once surrendered, seeing, with the opposing numbers, the folly of resistance. The others fled, and reached the gate in safety.

War to the knife was now fully inaugurated. The Indians, to the number of five hundred and upward, surrounded the place, and kept up a constant skirmish. Throwing firebrands, they set fire to

the house of Jacob Sebers, which, with many barns, stacks, and barracks were burned. They attempted to take the place by storm, and for that purpose made a most desperate assault, but without success. The stockade formed such an effective protection that only one man inside of the enclosure was killed. Not succeeding in capturing the place, they then proceeded to kill all the domestic animals they could find. The siege was thus kept up uninterruptedly for three weeks. Failing in their main object, they then proceeded to wreak their vengeance upon the prisoners.

Jacob Jansen Van Stoutenbergh, Abraham Vosburgh, a son of Cornelis B. Slecht, and several others were forced to run the gauntlet, after which they were tied to stakes; then cut and beaten in the most cruel manner; and such as survived the torture were burned alive. There were others of the prisoners who suffered torture and death, but their names are unknown.

Thomas Chambers was exchanged for an Indian captive. One soldier made his escape. Sergeant Laurentson and Peter Hillebrants were ransomed. Pels's son, who was a youth, was adopted into an Indian family. He remained with the tribe, took a wife from among them, had children, and refused to leave his wife. Whether he afterward returned to civilization or not tradition does not inform us.

At this time there was a great deal of sickness prevailing at New Amsterdam and throughout the colonial possessions, which, added to the dread and fear which fell upon the inhabitants, it was impossible for Stuyvesant to procure any volunteers for aid to Esopus. Anticipating that the massacre and war would extend throughout the whole colony, the farmers fled in every direction, abandoning houses, grain, cattle, and, indeed, the nearest inhabited villages on Long Island, seeking shelter where they thought there might be safety.

There were only about half a dozen soldiers all told in Fort Amsterdam, and all sick. Stuyvesant himself was sick. In this plight he used every effort imaginable to procure volunteers; every effort to that end was a failure. After the most urgent and repeated appeals only from twenty-five to thirty volunteers could be procured. Finally he required the able-bodied men to cast lots, and that those upon whom the lots fell would be required to go, under penalty of forfeiture of fifty guilders.

On the 9th of October, 1659, on Sunday, after the second service, he was able to set off with about one hundred and sixty men and as many Indians from Long Island. He reached Esopus the next day. On arriving there he learned that the Indians, not having been able to carry the works by assault or by any other way, had, about three weeks previous, abandoned the siege and gone to

their homes. Stuyvesant was unable to pursue them on account of the country being so inundated, and the streams swelled by the heavy rains. He then at once returned to Manhattan.

Before leaving he strengthened the garrison, leaving Smit still in command. It appears, however, that the savages only made their appearance occasionally, to make threats and keep the people watchful. In the mean time, the authorities at Fort Orange had sent two Maquas chiefs, with Misameret, a Mohican sachem, to conclude an armistice. In this, after a few days' stay, they were successful, and at the same time they ransomed two men. The armistice was to continue as long as the director should elect.

On the 28th of November, 1659, Stuyvesant again visited the place, hoping to conclude a permanent peace, but the savages were afraid of him and did not meet him. About the middle of the following month they brought in some turkeys and deer, "to see if we were sincere." Some powder was given in exchange, which had a happy effect. But no confidence was placed in them. It was believed that winter and a scarcity of corn alone retarded hostilities. Tradition and old documents have left but little information how the settlers passed the winter. There is no doubt that they had a very watchful, anxious, and busy time, interspersed with many episodes which would at this day have made interesting and thrilling narratives. But the mantle of oblivion has been thrown over it by the lapse of ages, and we must pass on to scenes the records of which have not been thus obliterated.

Late in the winter or early in the spring of 1660 Director Stuyvesant had a consultation with his council in regard to the affairs of Esopus and their troubles with the Indians, and proposed to make a formal declaration of war. He thought it too humiliating to bear what had passed in Esopus, and he proposed to fight. He said the people of Esopus could produce more grain than all the other settlements. There was, therefore, the greater need for their protection. He did not purpose to declare war immediately, but at once began preparations therefor, and increased the military strength of the colony. And until prepared to strike a decisive blow, he purposed "ruse for ruse, and to lead them away by chicanery."

Van Ruyven, the secretary of the colony, opposed this scheme if it could be avoided, reminding them that the whites were the aggressors, not the Indians, and urging that another effort be made for peace; and if war must be made, it should be deferred until fall, when they could destroy the maize, which was always planted in some remote, secret place, to provide food for the winter. The council, however, agreed to declare war, but advised it be deferred until fall.

After the above determination had been reached, and on the 15th of March, Goetchels, chief of the Wappingers, appeared before the council at Manhattan, and asked for peace in the name of Pegh-Pegh-quanock, Pemmyrameck, Prenwanack, and Seewechamnee, sachems of the Esopus Indians. "They were very fearful all winter the Dutch would make war. They had the wampum and beaver all ready to make peace. They did not come themselves, because they were full of fear." Governor Stuyvesant answered, they only wanted an "empty peace."

The chief answered it was only the empty heads (Kaele backers) who wanted war; that all the principal men, especially Kaelkop and Pemmyrameck, begged for peace and wanted to meet at Esopus.

In the mean time, Smit was pursuing the Indians and harassing them wherever they could be found. On the 15th of March he marched into the interior about eight or ten miles, where he discovered sixty savages, who fled without offering any resistance. But the Dutch soldiers fired on them, killed three or four, and took twelve prisoners. Returning they destroyed an Indian fort called Wiltmeet, supposed to have been located in Marbletown, and captured considerable maize, beans, and peas, and a number of peltries.

This again struck terror into the savages, and they were afraid to go and meet Stuyvesant, who arrived at Esopus on the 18th to meet them. Stuyvesant, irritated by their failure to meet him, at once determined to declare war. He then sent the plunder and prisoners to Manhattan, ordered the remnants of the tribes to be driven across the Catskill Mountains, and then sailed to Fort Orange. On the 25th of March, 1660, he issued a formal declaration of war against them and their adherents.

By treaties entered into with river tribes south of Esopus, including the Wappingers, he bound them to remain neutral; thus entirely cutting off the Esopus Indians from any allies or assistance in that quarter.

On the 3d of April two parties of savages appeared on the opposite side of the Esopus Creek and made derisive gestures. The next day they came again and promised to come on the morrow. Smit, early the next morning, placed forty-three men in ambush about three gun shots from the stockade. Soon about one hundred Indians appeared, but their scouts discovered the snare. The Dutch now began a general attack, and followed them for an hour. They killed three, wounded two, and took one prisoner, with a loss of only three horses.

During this time the Indians were praying for peace. On the 21st of April the Catskill and Mohican tribes asked for peace in behalf of the Esopus Indians, and in their name offered to give up all land on the Esopus and exchange prisoners and booty on the

23d of April. On the 23d some Mohawk chiefs appeared before Montague, the Secretary of Fort Orange, and presented, in the name of the Esopus Indians, eighteen fathoms of sewan, soliciting a treaty of peace. This was declined for want of authority to act in the premises, and the petitioners were referred to the director and council.

About this time three sachems of the Mohican tribe—Aepjen, Assamad, and Beresbay—appeared before the director in behalf of the Esopus Indians. Laying down two strings of wampum, one of them said: “This is a pledge that the Esopus sachems, Kaelebackers, young and old, men and women, desire peace.” These belts were taken, but Stuyvesant told them that peace could only be assured by their coming to New Amsterdam. Then, presenting two other belts, they asked that the prisoners might be released. This they were told was impossible, and the wampum was returned. They then laid down twelve and renewed the request. This was also refused.

The Indians, finding their efforts fruitless for the release of the prisoners, one of their number, after a short consultation, laid a belt of wampum at the director’s feet, and requested that the war be confined to the Esopus country. They were assured that as long as they remained friendly to the Dutch they would not be molested. Other belts of wampum were now laid at his feet “to wipe out the remembrance of the rejection of those they had offered for the prisoners.” These were taken, and each was given a blanket, a piece of frieze, an axe, a knife, a pair of stockings, two small kettles, and one pound of powder. They then left, apparently satisfied, taking with them a pass for the Esopus chiefs.

On the next day, May 25th, 1660, about twenty of the Indian captives were sent by the director to the island of Curaçoa, with directions that they be employed there or at Bunaire with the company’s negroes. Three or four others were kept to be punished “as might be thought proper or necessity might demand.”

The only excuse Stuyvesant gave for this not only impolitic, but cruel and barbarous act, was that “their enlargement would have a tendency to create disaffection toward our nation. Our barbarous neighbors would glory as if they had inspired us with terror.”

Stuyvesant in this act evinced a great lack of good policy and acuteness as a statesman, and cruelty more befitting a savage than a civilized being. It was never forgotten by the Indians, and they awaited their time for the terrible retribution of blood.

Questioning, as the writer does, the policy and humanity of the government of New Amsterdam in transporting the Indian captives to Curaçoa, it is proper that he should give the reasons as

contained in the resolution of the council, as passed May 26th, 1660.

“It is quite evident from the proposition and the talk of the Savages, that we shall not obtain a firm and stable peace with the Esopus savages, unless the captured Esopus Indians (of whom the eleven here and the others still in prison at the Esopus are all bold and hard hearted fellows, and the most inconsiderate of the tribe) are released, or they are deprived of all hope ever to get them back, and they are forced to a solid peace by force of arms (with God’s blessing). Having considered this, after several serious deliberations, it has been decided unanimously, that to release them would not only tend to create disregard and contempt of our nation among neighbors, as well as our own subjects, but also the neighboring barbarians, and especially the Esopus savages would glory in it, as if they inspired such great awe to our People, that we were afraid to arouse their anger, and that we had no courage, to treat, according to their merits, and as an example for others, the prisoners among whom there are some, who have dared to murder our People, captured by them, in cool blood and with unheard cruelty. Hence we have, for the above stated and other reasons, judged it to be best, to send the aforesaid Indian Captives to Curacao by the first good opportunity, and at the expense of the Company, to be employed there or at Bonayro with the negroes in the service of the Company, and to keep here only two or three of the aforesaid Captives, who have murdered our prisoners in cool blood, and to punish them, at the proper time, in such a manner, as shall be decided upon, in the mean time to continue a defensive and offensive war against the Esopus savages, and inflict all possible harm upon them, until such time, that we can obtain a peace with them on favorable conditions.”

On the 27th of May Smit sent out seventy-five men with an Indian prisoner, Disquaaras, as guide. They discovered, “at the second fall on Kit David’s Kill”—supposed to be Lefevre’s Falls, at the Rock Lock, in the town of Rosendale—a few Indians planting maize on the opposite bank. The creek being high, the Dutch could not cross, but the Indians fled, and the Dutch returned to the fort.

Smit having been informed by Maritje Hansen, wife of Juriaen Westphael, that the Indians had located “about nine miles or three hours farther up the stream above mentioned than the fall, where the stream can be easily forded,” he sent his men forthwith to take the Indians by surprise. When within sight of their dwellings they saw some women and children planting, who, being warned of the approach of the Dutch by the barking of the dogs, fled, leaving behind them Preymaker, a chief of their tribe, who

was crippled and bent with age. He was designated as "the oldest and best of their chiefs." He, armed with a gun, six knives, and a tomahawk, demanded: "What are ye doing here, ye dogs?" and at the same time levelled his gun at them. That was at once snatched from his grasp, and he was then disarmed and put in charge of a guard. He lived below Hurley, and the stream Preymaker was named after him.

They then crossed the creek to the other Indian dwellings, and destroyed all they could find. Being about to return, and finding the Indian Chief Preymaker an incumbrance, as "being too old to walk and the distance too great to carry him," they *valiantly* struck him down with his own axe. On their way back they were attacked by some Indians concealed in the bushes, and had one man wounded. "Making fight, the Indians fled to a thick woods, where they could not be pursued, and the soldiers marched home."

On the 3d of June, Oratany, chief of the Hackensack and Haverstraw Indians, at the instance of Seewackamano, one of the Esopus sachems, appeared before Stuyvesant, and sued for peace in their name. He told Stuyvesant that Seewackamano, only a few days before, had called together the Wanwassutje Indians (the Warwassings), and asked them what they would do. "We will fight no more was their answer." He next asked the squaws "what seemed best." They answered, "Let us plant our field in peace and live in quiet." He then went to the young men, who lived apart in another quarter, "and asked their opinion too." Their answer was, "They would not kill hog or fowl any more." That, having thus the consent of all classes to make peace, he had come down to get them—the Hackensacks and Haverstraws—to intercede in their behalf. While there in that behalf, and only the day before, he had heard of the expedition of Smit and the killing of "their greatest and best chief." The news had fallen heavily on his heart, and he did not know what to do. "He had gone home to appease his people, would return in ten or twelve days, and left the Hackensacks and Haverstraws to do the best they could with the Dutch; for himself he had no hope."

Stuyvesant assured him that the Christians wanted peace. The old chief replied: "It is strange, then, that your people have so lately killed their chief. They mourn his loss."

It was then agreed that there should be a truce. while he, Oratany, and his sachems went up to Esopus with Claes de Ruyter, to see what was the true disposition of the Indians. Claes was then authorized to go with them and make a treaty, provided they would return the ransom paid for prisoners afterward murdered, and retire from the Esopus land. Claes and Commander Smit soon reported that they were willing to accept those terms, but

wanted the director to come with an interpreter called Weathercock. The Minnisink savages, who had engaged with the Esopus, also wanted terms.

The council of New Netherland concluded to send Stuyvesant to Esopus with two old burgomasters, Martin Cregier and Oloff Stevenson Van Cortlandt, to advise with him. On the 7th of July this party left Manhattan. On the 9th they arrived at Esopus, and they received on board the Highland chiefs, who sent two Indians to notify the Esopus Indians. The Esopus Indians did not appear until the 14th of July, toward evening. On the next day, the 15th of July, there was a memorable gathering of Christians and savages "on the flat near the strand gate," just without the enclosure of the village, "under the sky of heaven." *

There were met in conference the Indian sachems Kaelkop, See-wackamano, Nosbabowan, and Pemmyrameck; *Esopus*: Adog-begnewalgus, Requescecade, Ogekuekelt; *Maquas*: Eskyras, alias Aepje-Ampumst; *Mohicans*: Keesewing, Machacknemenn; *Catskills*: Onderis, Hoeque, Kaskongeritschage; *Minquas*: Isseschahga, Wisachganio; *Wappingers*: Oratany, Carstaugh; *Hackensacks*: Warchen; *Staten Island*: together with the director and his advisers, the interpreter, "Old Weathercock, Arent Van Curler," and all the inhabitants of Esopus.

After much talking with the Indians to and fro, and Stuyvesant consenting to peace, Onderis addressed the Esopus sachems, and said: "Ye must not renew this quarrel; neither kill horse nor cow, nor steal any property. Whatever ye want ye must purchase or earn." After some more talking to and fro, he said: "Throw down the hatchet. Tread it so deep into the earth that it shall never be taken up again." He then presented them a belt of white wampum.

The Macquas then addressed the Dutch, and charged them not to renew the quarrel, "nor beat the Esopus savages in the face and then laugh at them." Then, taking an axe from the hands of an Esopus chief, he threw it on the ground, jumped on it, and said: "Now, they will never commence this quarrel again."

The Esopus chief, rising slowly, said: "We have permitted the hatchet to be taken from our hands and trodden in the ground. We will never again take it up."

The conditions of peace were then submitted and agreed to substantially, as follows:

All hostilities were to cease, all injuries forgiven and forgotten. The Dutch to have all the land of Esopus, and the Indians to depart from and not plant thereon. The directors to pay eight

* That is supposed to have been near where the academy now is.

hundred schepels corn for the Christian prisoners, "one half this harvest, and the other half next year, when the maize is ripe." The Indians were not to kill any horses, cattle, or hogs; and if they did, were to pay for them, or remain under arrest until damages were paid, the Dutch agreeing to the same terms. There was not to be war for murder, but the guilty parties were to be punished. The Indians were not to approach the plantations or dwellings armed, and only to drink brandy and spirituous liquors in their own camp, in the woods at a great distance. The peace was to include the friends of both sides, and the chiefs mentioned were to be security for the observance of these conditions by the Esopus Indians.

Thus terminated what has been styled the first Esopus war. As has before been said, we have but little information in regard to it. Much of what we do know is not complimentary to the humanity and much less to the Christianity of the whites. It was started by a cold-blooded, brutal, and cowardly murder. Afterward, while the Indians were praying and beseeching for peace, their cries were for a long time unheeded, their villages and planting grounds were destroyed, their old men killed, their warriors, in the hands of the whites as prisoners, sent to the tropics to wear out their helpless existence in bondage and in the mines.

Would that an impenetrable veil could have been drawn over not only that, but the heartless provocations by which former Indian wars were also provoked, that it has been our duty to notice!

CHAPTER II.

FROM THE TREATY OF PEACE AFTER FIRST ESOPUS WAR TO AND INCLUDING ORGANIZATION OF WILTWYCK GOVERNMENT, 1661.

IN the month of February, 1659, the directors in Holland wrote to Governor Stuyvesant approving of his proceedings at Esopus, in compelling the inhabitants to concentrate in a fortified enclosure; that they deemed it the safest and best way for protection and defence, and directed that it must be done on all occasions and at all settlements of outlying farmers in the open country.

An extract is given from another letter from the directors to Governor Stuyvesant, written at about the same time as the one above noticed, showing that exaggerated and fabulous tales, usually circulated in connection with discoveries and resources of new countries, were not wanting in this case:

“We have lately been shewn a small piece of mineral, which is said to have come from New Netherland, and which we found to be good and pure copper, so that we have thought it worth while to hear Claes De Ruyter about it, a person who showed that he was not ignorant of it, and consequently demonstrated, that a copper mine was said to be in the Neversinks. Also that there was lying, between the Manhattans and the South river a *Crystal Mountain* of which he says he brought several specimens.” They then urge the director-general and council to thoroughly investigate the matter and send specimens, etc.

On the 22d of July, 1659, the director-general and his council replied, expressing great astonishment at the reported discovery. It was beyond their knowledge. The agricultural importance of Esopus, at this time, is apparent from the following extract of a letter dated May 12th, 1660, written by Ensign Smitt to the director-general:

“I have to inform your Honor in regard to the Spring corn, which we sowed, that Thomas Chambers has 100 Schepels of barley and peas in the ground, and Jurryaen Westphalen, your Honor's farmer, has in the ground 100 Schepels of Spring wheat and Barley, as well as Peas and oats and Cornelis Barentsen Slecht 50 Schepels of Spring wheat, nine of Peas and a few of Barley, and the

widow Stoll 45 Schepels of Spring wheat, 12 Schepels of Barley, and 4 of peas. So that altogether 320 Schepels of Spring grain have been sowed. Thomas Chambers has also sowed 75 Schepels of Winter wheat, and Cornelis Barentsen Slecht 20 Schepels of winter wheat, and it has come up nicely in the fields." So that if Esopus could not boast of its mineral, it could truly of its agricultural wealth.

A short time prior to the Indian war, of which we have just given an account, the classis of the Dutch Church at Amsterdam became awakened to the spiritual wants of their brethren at Esopus. They persuaded and encouraged Harmanus Blom, who was then preparing for the ministry in Holland, to visit this country. He did so, and arrived at Esopus in August, '1659. He preached two sermons on the Sabbath, and had a conference with Indians outside of the stockade. The people then immediately organized a church, tendered Mr. Blom a call to become their pastor, and he returned to Holland for examination and ordination.

After his arrival in Holland, the call was regularly approved by classis and confirmed by the West India Company. Harmanus Blom was then ordained to preach in the New Netherlands, "both on water and on the land, and in all the neighborhood, but principally in Esopus." He soon afterward, and about the 1st of March, left Holland to assume the charge to which he had been assigned; bearing a letter from the Amsterdam classis to the Dutch churches in the New Netherlands, earnestly exhorting them not to depart from the usual formulary of baptism. His settlement in Esopus was retarded by the Indian troubles, so that his ministration at that place did not commence until September, 1660.

We find the following guarantee as to the dominie's salary:

"The undersigned, inhabitants at the Settlement of the place called Esopus, promise to give our Reverend Minister Harmanus Blom as Salary for the first year (which Salary has commenced with his arrival here on the 5th of September, 1660) the sum of 700 guilders in corn, at beaver valuation, in case his farm should fail, and we promise further to put the farm in good order according to contract, as soon as the land has been allotted and to raise that sum at the latest for the coming farming season. This we the undersigned promise faithfully and truly to do. Thus done the 4th of March, 1661

THOMAS CHAMBERS
 CORNELIS BARENTSEN SLECHT
 GERTRUY ANDRIES
 ROELOFF SWARTWOUT
 ALDERDT HEYMENSEN ROOSE
 JURIAEN WESTVAEL."

Esopus was then without any local government, and, in fact, a dependency of Fort Orange. The people were dissatisfied with such a dependent position, and wanted a government of their own. About that time Roeloff Swartwout, a son of one of the original settlers, visited Holland, and through his representations and other influences the Amsterdam directors of the West India Company determined to make the Esopus settlement an independent jurisdiction. In furtherance of such object they passed the following order :

“The Directors of the privileged West India Company, Department of Amsterdam, being specially authorized by the College of XIX to administer the Government of New Netherlands, make known :

“Whereas it is required to promote justice in the village of Esopus in New Netherland, that an able and expert person is selected to officiate there provisionally as schout ; for which office has been recommended to us Roeloff Swartwout, who has resided there a considerable time. Therefore we having full confidence in the abilities, integrity and expertness of Roeloff Swartwout, appoint him provisionally as the schout of said village at the Esopus, investing him with full power and authority to act as such, in the aforesaid place, and the adjoining district, in conformity to the usages of the office in this country, and agreeable to the instructions he receives or may receive from us : to prosecute the contraveners of all politic, civil and criminal laws, and bring them to justice, according to the ordinances and placards ; to indict all delinquents in the aforesaid village or jurisdiction, in so far as he may deem proper and consonant with his instructions, and to fine and punish them in such manner as the law shall dictate ; to endeavor by diligence and information, to help the Governor remove and prevent all misdeeds ; to assist in the speedy execution of all judgments, and further to act in all respects as a schout is bound by his oath to do. To this end commanding the Burgomasters, Schepens, and inhabitants of said village the aforesaid Roeloff Swartwout as our officer and Schout, to assist and support him in said office whenever required, or as in our opinion the services of the Company and promotion of justice may require it.

“Done in the meeting of the Directors aforesaid in Amsterdam the 15th of April, 1660.

“JACOB PERGEUS.

“By his order

“C. VAN SEVENTER.”

It will be perceived that in this translation the name “*schout*” is retained as the designation of the office, and the word “*sheriff*”

is not used ; for although the office of schout was clothed with the ordinary duties and powers of the shrievalty, his jurisdiction was at the same time much broader and more extensive ; it embraced as well the duties of presiding officer of the court in civil actions, and the duties of prosecuting attorney in criminal proceedings.

The instructions to the schout, of even date with the order, provided that he should not accept any other office ; that he should rank above the burgomasters and schepens ; preside in civil actions ; pronounce judgments and give warnings in the name of the court ; publish all orders relative to the excise in the village, with the knowledge of the director and court, and execute them agreeably to their contents.

That he should take care that the villages may be cleaned of all villains and sharpers ; that neither whores, panders, brothels, or similar lewd houses should be permitted. To this end, and to avoid all violence and tumults, he should be always ready to traverse the city with his attendants, visit the churches, markets, and other meetings.

He was further directed to apprehend all delinquents, and prosecute them within four days after commitment, by prosecuting them before court for judgment ; to execute the judgment without reprieve, and to execute his rolls in conformity with those made at Amsterdam on the 27th day of April, 1656.

For compensation, he was entitled to have one half of all civil fines, except those imposed by virtue of ordinances on taxation ; one third of all criminal fines ; one half the costs of all summonses, and such salary as might thereafter be granted him. He was prohibited from receiving any presents either directly or indirectly.

Within a few days after the date of the preceding order Roeloff Swartwout embarked for America, accompanied by Cornelis Jacobs Van Leeuwen, Arent Meuwens, and Adriaen Huyberts. They reached New Amsterdam in the early part of the summer. Immediately after his arrival Swartwout presented the order appointing him schout to the director-general, and demanded to be sworn and inducted into office. Stuyvesant refused to comply, and at once wrote to the board at Amsterdam that he had not and could not administer the oath of office to Swartwout ; that he was too young a man, and incompetent ; that the appointment was premature ; that there was no court at Esopus, nor was there any likelihood that there would be any, " for there is no one capable of sitting on the bench." He further alleged that " a person of more mature age, higher talents and respectability, would be required, as he would be required to act as commissary for the company."

The refusal of Swartwout was received by the directors at Am-

sterdam in September. They were very indignant at the refusal, and at once reproved the governor very severely, and peremptorily ordered him to carry out their instructions, and administer the oath to Swartwout and induct him into office.

In order fully to comply with the wishes of the governing directors, and obey the peremptory mandate, Stuyvesant, as director-general, on the 16th of May, 1661, executed a formal charter to the inhabitants of Esopus, and conferred municipal powers on the settlement. He conferred upon the municipality the name of "*Wiltwyck*" in commemoration of the fact that the soil was a free gift from the Indians.

The following is a translation of the order as entered in the Wiltwyck records :

"May 16, 1661. Director General Petrus Stuyvesant, delegated and authorized in all matters of government relating to the public welfare of all the country of New Netherland, by power and commission from the noble Lord Directors of the privileged West India Company, observing the situation and condition of a place called the Esopus, which has now been inhabited and settled six or seven years ; hath, in consideration of the situation and population thereof, erected the locality into a village and given it the name of Wiltwyck, whereby it shall be called now and henceforward."

The charter granted by the director-general is quite lengthy and specific in its provisions. A full copy will be given in the Appendix. It was intended to and did grant a municipal government conforming, as near as possible under the differing circumstances, to that of towns in the "Fatherland," except that it was made subordinate to the director-general and council at New Amsterdam.

The government was to be administered by a Board of Magistrates, consisting of the schout as presiding officer, and three schepens or aldermen ; the schepens to be chosen or appointed annually by the director-general and council at New Amsterdam. The retiring schepens were particularly enjoined in the charter "to pay due attention to the conduct, conversation, and abilities of honest and decent persons, inhabitants of their village ; to inform the director-general and council, about the time of election, who were sufficiently qualified to be appointed."

Before them as a court all cases and questions relating to the police, security, and peace of the inhabitants, and all suits between man and man, were to be brought, heard, examined, and determined. Their judgment in cases involving fifty guilders and under was final. In cases involving higher sums, the right of appeal to the director-general and council was given to the aggrieved party, provided the appeal was taken within a specified time, and security

given for the payment of the costs. If, in the decision of any case, a difference of opinion existed in the court, the opinion of the majority was to control.

It was made the duty of the schout, as before stated, to preside at the court or meeting of the schepens, and until further ordered act as their secretary. Except, however, when acting in his own interest or in behalf of "the rights of the Lord Patroons," or as prosecuting officer, he should not preside nor officiate as a part of the court.

In such case one of the oldest schepens was directed to preside. The schout, as well as each of the schepens, were prohibited from officiating as a member of the court whenever personally interested, or of near relationship or affinity to any of the parties.

These officers were required to hold their court every fortnight, harvest time excepted, unless necessity or occasion might otherwise require.

"All criminals and delinquents guilty of wounding, bloodshed, fornication, adultery, public and notorious thefts, robberies, smuggling or contraband, blasphemy violating God's holy name and religion injuring or slandering the supreme magistrates or their representatives were required with informations affidavits and witnesses to be referred to the Director General and Council of New Netherland."

All lesser crimes, including "quarrels, injuries, scolding, kicking, beating, threatening," etc., were left to the adjudication of the aforesaid local court, with right of appeal reserved to the condemned. In those cases the schout was required to act as prosecutor.

The aforesaid officers were also empowered to make orders respecting "public roads, enclosures of lands, gardens and orchards, and matters that might concern the country and agriculture: also relative to the building of churches, schools and other similar public works, as well as the means from which, and in what manner they shall be worked and regulated." But all such orders, before becoming operative or binding, were to be submitted, with their reasons, to the director-general and council, for "their confirmation, approval, and command, if by them deemed necessary and useful."

These officers were also required to enforce obedience to "the law of our Fatherland and the ordinances and published plackards of the Director General and Council;" and they were strictly enjoined to prosecute all transgressions thereof, and prohibited from publishing any act of their own without the previous consent and approval of the director-general and council.

They were also required "to assist the Noble Lord Directors as

Lords and Patroons of the New Netherland Provinces under the Sovereignty of the High and Mighty Lords of the Staats General of the United Provinces, and to assist in maintaining them in their high jurisdiction, rights, domains, and all their other pre-eminences.”

The director-general, about the same time the said charter was granted, promulgated the following orders or by-laws :

1. No person was to work on the Sabbath.
2. No one should give an entertainment, sell spirituous liquors, or be intoxicated on that day, under pain of fine and imprisonment.
3. For the prevention of fires, the construction of wooden chimneys was prohibited ; also the building of roofs covered with cane or straw, unless the garret floor was laid tight with boards.
4. The schout and schepens were to appoint fire wardens, who were to visit every house at least once in every month to see that they were properly built and cleaned.

Delinquents to be fined one florin for first offence, two for the second, and four for the third.

5. All persons to keep good fences and gates.
6. Every one to enclose his lot within four months and build a house on the same in one year or forfeit it.
7. The stockade to be kept in good order, and gates closed every night under a penalty of three guilders.
8. No one to propose a religious dispute under a penalty of three days in jail, on bread and water.
9. Every one must respect and assist in family worship.

Evert Pels, Cornelis Barentse Slecht, and Elbert Hymans Roose, were by the charter designated as the first board of schepens.

On the 27th of June, shortly after the promulgation of the charter, the director-general, in compliance with the aforesaid peremptory order of the home directors, commissioned and administered the oath of office to Roeloff Swartwout, as schout, thus completing the organization of the first village and first judicial tribunal in this section of the State.

The first meeting of the court was held on the 12th day of July, 1661, in Wiltwyck. It made an order to meet and hold court on Tuesday of every other week until further order from the director-general and council at New Amsterdam.

At that meeting it appointed Jacob Joosten as messenger for the court and the church, with an annual salary of two hundred guilders in sewan, subject to the approval of the director-general. No business of importance was transacted at that meeting, except, on the petition of the sergeant in command of the soldiers, it di-

rected Pieter Van Allen, the shoemaker, instead of shipping some wheat, to sell it to the sergeant, if he paid for it on delivery.

It being harvest, the court adjourned until the 13th of September.

The court met again on the adjourned day, and held its regular bi-weekly meetings during the rest of the year; at which meetings it adjusted some trifling complaints that were brought before it, granted house lots to some applicants, and fixed the price of millers' toll at eight stivers in sewan per schepel, or the tenth when customers had no sewan.

Roeloff Swartwout, the schout, was born in Amsterdam in 1634, came to this country about 1655, and settled first at Fort Orange. He remained there only a very short time and went to Esopus, where he began farming on his own account. On the 13th of August, 1657, he married the widow of Anthony de Hooges and daughter of Albert Andrisen Bradt. It was said that it was the influence of his wife's and her first husband's families that secured him the office. He lived the latter part of his life, after losing his office, on his farm at Hurley.

The three schepens were all old settlers of the country, emigrating from Holland. Tryntje Tysen Bos, the wife of Slecht, was duly licensed by Stuyvesant as midwife as early as 1655. Slecht died in 1671; left a number of children, the youngest of whom, Petronella, was the wife of Jochem Hendrick Schoonmaker, who after his marriage moved to Mombaccus, now Rochester, and became the progenitor of the Schoonmakers, now scattered in large numbers through different parts of this county and elsewhere.

We have no definite information of the number of inhabitants at Wiltwyck at this time. The best guide for an estimate that we have is a schedule of old and newly surveyed lots made out in the year 1662, for which purpose, and as furnishing reliable information of the names of some of the heads of families then residing there, it is given here entire.

Of course it does not contain the names of all the residents at that time, not even of all the heads of families, and certainly not of the unmarried men and farm and other laborers.

LIST OF OLD LOTS.

- | | |
|--------------------------------|--------------------------------|
| 1. Thomas Chambers. | 9. Andries, the weaver. |
| 2. Evert Pels. | 10. Jan de Brabander. |
| 3. Balthazer Carel Stuyvesant. | 11. Jan Broersen. |
| 4. Minister's house and lot. | 12. Michael Verre. |
| 5. Mrs. De Hulter's. | 13. " " |
| 6. Jacob Govier, little farm. | 14. Jan Depuit. |
| 7. Jacob Jansen, 2d farm. | 15. Annetje Vandersluys. |
| 8. Hendrick Sewan Stringer. | 16. House and lot of Geertrig. |

NEW LOTS.

- | | |
|--|---------------------------------|
| 1. Hendrick, the smith. | 16. Dirk Floriaen. |
| 2. Hendrick Martense. | 17. Mattys Capito. |
| 3. Harmanus Hendrix Blew. | 18. Jan Laurensen. |
| 4. Jan Jansen, carpenter. | 19. Casther, the Norman. |
| 5. Jacob Barents. | 20. Barent Gerretsen. |
| 6. Jan de Baker. | 21. The Church. |
| 7. Jacob Joosten. | 22. Hans Barentsen. |
| 8. Willem Pauli. | 23. The Church. |
| 9. Peter Van Alen. | 24. Albert Heymanse. |
| 10. Mattys Roelofson. | 25. Juriaen Westphael. |
| 11. Jacob Burhans. | 26. Nicholas Willen Stuyvesant. |
| 12. Gerret Van Campen. | 27. Albert Gysberts. |
| 13. Anthony Crispell. | 28. Tjerck Claesen. |
| 14. Albert Gerretsen. | 29. Peter Jacobsen. |
| 15. Dr. Gysbertsen "Van Im-
borch." | 30. Jan R. |
| | 31. Evert Petersen. |

The fact, which appears upon examination, that it does not contain the names of the *schout* and of two of the *schepens*, Slecht and Roose, is strong evidence that it is not a complete record of all the dwellings. At this time, besides the various dwellings and the church, there was a small grist-mill in the neighborhood of where the tannery now stands in North Front Street, near the corner of Washington Avenue. The mill pond extended up the low grounds toward the south, west of Green Street. The mill was owned by Slecht, the *schepen*, and his house was near it. It was run by Peter Jacobsen. The church was located on the northeast corner of what is now Wall and Main streets, being part of the lot on which the First Dutch Church now stands. The precise location of the houses cannot now be designated with any degree of certainty. Such had been the frequent difficulties with the Indians, and continued apprehensions of trouble, that many of the settlers had not then as yet put up buildings of a permanent character. They were principally built of logs one story high, with a garret or loft, which was generally used as a sleeping apartment by at least a part of the family. The roof was covered with boards or thatched with reeds or straw. The chimneys were built of stone at one end of the house on the outside, with a large open fireplace opening inward. That there had been some stone dwellings erected is inferred from the remark made by Dominie Blom in his account of the burning of Wiltwyck by the savages a short time thereafter, that "the houses were converted into heaps of stones."

CHAPTER III.

FROM THE ORGANIZATION OF WILTWYCK, 1661, TO THE SURRENDER TO THE ENGLISH IN 1664.

ALTHOUGH the treaty of peace had been formally made and assented to by the Indians as well as by the settlers, and hostilities had ceased, still there were frequent signs of discontent on the part of the savages. The unfortunate and, to use the mildest term, the unwise action of the director-general, in sending a number of his captive savages to work in the mines in the tropics, and his inability thereby to restore them to their tribe, was not forgotten or forgiven by the Indians. It constantly rankled in their bosoms, and kept burning fiercer and fiercer, until it culminated, with other real or fancied causes of discontent, into a horrid butchery and another bloody war.

The inhabitants of Esopus, alarmed at evidences of dissatisfaction and unfriendliness on the part of the Indians, asked the director-general for a guard, and also organized themselves into a military corps. Of the organized militia, Thomas Chambers was made captain, Hendrick Jochem Schoonmaker, lieutenant, and Roeloff Swartwout, Hendrick Jansen, Cornelis Barentse Slecht, and Peter Jacobsen, minor officers. An occasional drill gave them some knowledge of their duties to serve in case of an attack or danger.

In other respects matters passed along as usual in the settlement, the farmers, mechanics, and laborers performing their accustomed duties, the schout and the schepens being called upon occasionally to administer even-handed justice, in which they sometimes succeeded to the satisfaction of one of the parties and sometimes to that of neither. Then, as is frequently the case in the experience of the courts of the present day, the more even handed the justice is which is administered, the less probability there is of either of the litigants being satisfied.

The ministration of Dominie Blom in his holy calling had so far been productive of very satisfactory results : the membership of his church had increased in numbers during the first three years of his ministry from sixteen to sixty, and everything in church matters was well ordered and prosperous.

The settlement was now, however, on the verge of other and

more startling events, mingled with horrible scenes of savage cruelty and vengeance, the facts of which, as here detailed, are taken and gathered from the official reports made at the time, and are neither colored nor exaggerated; but they exhibit in strong colors the hardships and dangers attending a border life, particularly where the savage is left to feel that he is a victim of injustice.

The population of the village had rapidly increased, and a new settlement had been started at what is now called Hurley, about three miles farther in the interior, which was then designated as "the new village." The military by which they had been theretofore protected had been withdrawn and only a small guard left, which was quartered at the redoubt or fort situated near the junction of the Rondout stream with the river. The savages showed signs of dissatisfaction and hostility—complained that the captives taken from them in the former war were not liberated and returned to them, and constantly muttered threats of vengeance. Stuyvesant was informed of this state of things, when he sent word that he would soon be up to make them presents and renew peace. This message was communicated to the savages by Thomas Chambers on the 5th of June, 1663; to which they replied that "if peace was to be renewed with them, the director-general should, with some unarmed persons, sit with them in the open field without the gate, as it was their own custom to meet unarmed when renewing peace or in other negotiations."

Thrown off their guard by such pacific reply, the inhabitants went about their ordinary avocations as usual, the farmers and workmen going to work upon their farms, and leaving their families unprotected at their homes.

Suddenly, on the 7th day of June, 1663, while the greater part of the men were absent in the fields, the Indians entered the village about noon in bands through all the gates, and divided and scattered themselves through the houses and dwellings in a friendly manner, having with them some maize and a few beans to sell. After they had thus been in the place for about a quarter of an hour, some people on horseback rushed through the mill gate from the new village (Hurley), crying out, "The Indians have destroyed the new village." The instant that cry was heard, the Indians, who were scattered through Wiltwyck, began a general attack upon the people, murdering them in their houses with axes and tomahawks, and firing on them with guns and pistols. They seized whatever women and children they could catch, and carried them prisoners outside the gates; they plundered the houses and set the village on fire to the windward, the wind at the time blowing from the south. The remaining Indians commanded all the streets. Firing upon the inhabitants wherever they could see or

reach them, they killed and wounded a number. Providentially, when the flames were at their height and the destruction of the entire village appeared inevitable, the wind suddenly shifted to the west, stayed the progress of the fire, and saved a part of the village from destruction.

At the time of the attack very few men—less than a dozen—were within the stockade, and they were scattered in different parts of the place. As soon as they could concentrate and rally together they seized whatever weapons they could and fought for their lives, and attacked the Indians vigorously.

The sight of the conflagration and the noise of the conflict alarmed those in the fields and brought them to the rescue. Lieutenant Schoonmaker was one of the first to arrive, and at once entered into the conflict. He was wounded twice, but fought on regardless of wounds or danger. Captain Chambers also soon arrived. He received a severe gunshot wound while on his way in, but notwithstanding rushed into the heat of the fray. Others also arriving from the fields near by, they were enabled to turn upon the Indians and put them to flight. They chased them without the gates, and found that the Indians who had charge of those taken prisoners had already moved them beyond reach. They then returned into the village, and their first care was devoted to the wounded and dying.

When all the absentees had reached the village, they mustered sixty-nine efficient men. They then repaired the damages to the stockade, and set and distributed a watch round the village for the night.

Dominie Blom, in his description of the massacre, says :

“There lay the burned and slaughtered bodies, together with those wounded by bullets and axes. The last agonies and the moans and lamentations of many were dreadful to hear. I have been in their midst, and have gone into the houses, and along the roads, to speak a word in season, and that not without danger of being shot by the Indians ; but I went on my mission, and considered not my life mine own. I may say with Jeremiah, ‘I am he who hath seen misery in the day of the wrath of the Lord.’ . . .

“The burned bodies were most frightful to behold. A woman lay burned, with her child at her side, as if she were just delivered, of which I was a living witness. Other women lay burned also in their houses ; and one corpse with her fruit still in her womb, most cruelly murdered in their dwelling with her husband and another child. The houses were converted into heaps of stones.”

In the attack upon Wiltwyck there were twelve men, including three soldiers and a negro, also four women and two children, murdered, eight men wounded, four women and four children

taken prisoners, and twelve houses burnt. At the new village there were three men killed ; one man, eight women, and twenty-six children taken prisoners. The new village was entirely destroyed ; every building was burned except a new unfinished barn.

The names of the murdered at Wiltwyck are given as follows : Barent Gerritson, Jan Albrechtsen, Lechten Derick, Willem Janse Hap, Jan, the smith, Hendrick Jansen Looman, Harry Olferts a negro belonging to Thomas Chambers, Willem Jansen Lebe. Soldiers Hendrick Martens, Dominicus and Christian Andriesen, were among the slain. Lechten Derick's wife was burned with her child ; Mattys Capito's wife was killed and burned in the house ; Jan Albrechtsen's wife was killed in the last stages of pregnancy. Peter Van Hart's wife was shot and burned in the house ; Jan Albrechtsen's little girl was murdered with her father ; William Hap's child was burned alive in the house.

Those taken prisoners were Master Gysbert's wife ; Hester Douw and her daughter Sarah ; Grietje, wife of Dominic Laer, and child ; Femmitje, wife of Joost Ariaens ; the oldest daughter of Tjerck Clausen De Witt ; a daughter of Ariaen Gerretsen, and two little boys of Mattys Roeloffsen.

The wounded were Thomas Chambers, Hendrick Jochem Schoonmaker, Michael Freere, Albert Gerretsen, Andries Barents, Jan de Carle, Hendrick a servant of the director-general, and Paulus de Noorman.

The houses burned were those of Michael Freere, Willem Hap, Mattys Roeloffsen, Albert Gerretsen, Lechten Derick, Hans Carolusen, Peter Van Haerlem, Jacob Boerhaus, Barent Gerretsen, Mattys Gerretsen.

Fortunately for the Dutch settlers in Wiltwyck, the Indians did not renew their attack, but left for their homes, carrying their captives with them. This gave the citizens an opportunity to send for re-enforcements and prepare for defence.

Information was at once sent to the director-general, and he promptly forwarded on the 12th a re-enforcement of forty-two men under Sergeant Niessen, who arrived at Rondout on the 13th or 14th of June, 1663.

Toward evening on the 16th of June Sergeant Niessen, with his command and three wagons, went to the redoubt to bring up ammunition. On their return they were, at the top of the first hill, attacked by the Indians, who attempted to capture the ammunition. The sergeant divided his men into separate bodies and skirmished with the Indians, until they reached beyond the second hill, so well and successfully that the wagons, with the ammunition, were all brought safely into Wiltwyck. The sergeant lost one man killed and six wounded. A number of the Indians were

killed, but how many is not known. The body of the dead man was brought in the next morning. It had been stripped naked by the Indians, and the right hand cut off.

Stuyvesant at once took active measures to send a large force to the assistance and defence of Wiltwyck. He issued a proclamation, inviting the colonists about Manhattan to enlist, offered them the pay of a soldier, what booty they took, and a pension of from four hundred to one thousand guilders if they were disabled. The chief men in the settlements on Long Island discouraged the raising of volunteers, and few were obtained there; but a considerable force was collected in New Amsterdam, and forty-six Marseping savages from Fort Neck were engaged as auxiliaries. The command-in-chief was intrusted to Burgomaster Martin Kregier as captain-lieutenant, under whom were Schepen Van Couwenhoven, Lieutenant Nicholas Stilwell, and Sergeant Pieter Ebel. The expedition sailed in two sloops, landed at Rondout on the 4th of July, and marched up to Wiltwyck. Guarded wagons carried the supplies to the village which had been brought by the sloops.

Written instructions were given by the director-general for the guidance of the officers at Wiltwyck. Martial law was proclaimed and a council of war formed, to consist of Commander Kregier, Captain Chambers, and Lieutenant Hendrick Jochem Schoonmaker of the Burgher Guard, and the schout and schepens of the village. Mattys Capito was appointed secretary or clerk of the schepens. They were strictly enjoined to barricade all the gates, except the two used in driving cattle, not to allow any small parties to go out, and with any expedition that was sent out to send horses for the conveyance of rescued captives.

Through a Wappinger Indian, who had come into the fort, they ascertained that a party of the Esopus Indians were living on the east side of the river, upon the main-land back of Magdalen Island; and they also learned from him that the hostile Indians were together about two hundred strong, consisting of Esopus Indians and of Wappingers and thirty Manissings.

On the evening of the 9th of July, 1663, by direction of the council of war, a force of twenty soldiers and twelve Indians were sent out, under the command of Christian Wietsen and Peter Wolvertsen, to endeavor to surprise and take the band of Indians lying back of Magdalen Island. By mistaking the route, they did not reach the place until mid-day, so that they failed to surprise them, but, on the contrary, found them posted and in arms. The soldiers immediately, however, attacked, routed, and pursued them. They killed five armed Indians and a woman. The Esopus chieftain was among the slain, and the soldiers took four prisoners. They plundered the huts, where they found nineteen blankets, nine kettles,

a lot of sewan, and four muskets, and on the 12th returned to Wiltwyck with their plunder and prisoners, consisting of a squaw and three children. They lost one man killed and one bitten by a rattlesnake.

An effort was made, through some friendly Indians, to procure the release of the prisoners taken by the Indians, but without success, except the release of a few women and children.

A ransom was paid, by the Indian messengers, and accepted for the release of Madam Gysbert Van Imbroeck, but at night the chief who had her in custody carried her off. He took her to the "Klyne Esopus," and kept her concealed there with him in a hut. She made one attempt to escape, but lost her way and went back. She was successful in her next attempt, and reached her friends at Wiltwyck.

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Having failed in repeated efforts, through Jan Davids and some Mohawk Indians, to procure the release of any more prisoners, the Indians acting with great fierceness and even threatening to kill the emissaries, a council of war was convened, and it was unanimously determined to send an expedition the next day against the Esopus Indians.

Accordingly, the next day, the 26th of July, 1663, at about four o'clock in the afternoon, an expedition, about two hundred strong, set out, with Mrs. Gysbert Van Imbroeck, the returned prisoner, as their guide. They were provided with two pieces of cannon and two wagons. Each man was supplied with ammunition and rations. There were thirty-six soldiers and twenty-five free men left in garrison at Wiltwyck. The expedition made but little progress that night, finding it very difficult to get through the woods at night with a cannon and wagon. They then bivouacked until daybreak. The next day they proceeded to the Indian fort, but found it deserted. They found three horses there and an old squaw, who had come to cut some maize in the field. They remained in the Indian fort that night, and the next morning a detachment was sent to the mountain, where they were informed the Indians had gone. That place was also deserted. After searching for them without success in one or two other places, they returned to the main body at the Indian fort. It was then determined to destroy all the plantations of maize in the vicinity and whatever supplies could be found, which was done, and they returned to Wiltwyck on the 31st of July at nine o'clock at night.

There has been considerable discussion as to the particular location of the fort above referred to and thus destroyed. It has been generally claimed to have been located on a hill near the junction of the Rondout and Vernoe Kills, at Warwasing. There have been frequently found at that locality the usual evidences of Ind-

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

ian occupancy—arrow-heads, etc.—and the character and shape of the surface of the ground appeared to favor it. But there was undoubtedly an Indian fort near Kahanksen, some four miles east of the other locality, also in Warwasing, but not far from the Rochester line. The treaty which was subsequently made by Governor Nicolls with the Indians in October, 1665 (which will be hereafter referred to), in specifying the land released by the Indians in that treaty, describes the tract as “lying and being to the west and southwest of a certain creek or river called by the name of Kahanksen, and so up to the head thereof, *where the old fort was,*” etc. The former existence of an Indian fort in that locality, therefore, cannot be doubted. Rev. Mr. Scott, who was formerly pastor of the Reformed Dutch Church at Shawangunk, in a communication made by him to the Ulster County Historical Society in 1861, and published in the proceedings of that society, page 237, insists that the fort destroyed on the 31st of July, as above stated, was the “old fort” referred to in the Nicolls treaty. He describes the locality as being “on the south side of the Kahonksen, near the line between Rochester and Warwasing, and just north of what is called Shurter Hill. By the present roads the spot is twenty-two or twenty-three miles from Kingston, two miles from Pine Bush, and about the same distance from Middleport. From the mouth of the stream to Shurter Hill is nearly two miles, and from thence to the head fountain less than one mile. The fine lowlands of the Rondout and the Mumbaccus spread out many an inviting acre for the cultivation of the maize. The nature of the ground made this place a strong defensive position for the savage occupants, and any one, standing below in the valley, can easily comprehend why Kregier should be compelled to leave his cannons and his wagons where he did. An Indian trail led up from the mouth of the Kahanksen to the village, and thence turning to the south, passed over the hills to Lackawack, and continued to the upper waters of the Delaware.” He further says: “This locality is suited in all respects to the descriptions of Captain Kregier—the direction, the route, the situation, the distance, and the surroundings.”

On the 19th of August, 1663, the commandant of the forces at Wiltwyck received a letter from Peter Couwenhoven, who lay with his sloop in the Dunsamer, notifying him to be on his guard, as he was informed that the Esopus Indians, together with the Manissings and Wappingers, were prepared to attack and surprise the fort, in about two days, with four hundred men; that they daily made intolerable threats against him. It appears he was then upon some negotiation in regard to the release of prisoners, and stated “that he daily expected the arrival of the sachem, who had

already been four days gone about the captured Christians, to learn what he should then do and what would be the issue of it."

Christoffel Davids, who appeared to act as an interpreter, brought information that he slept one night with the Indians in their wigwams; that some Esopus Indians and sachems were there, who had four Christian captives with them; that one of the female captives had secretly told him, Davids, that forty Esopus Indians had already been near the fort to observe the reapers and other people. Davids also reported that the Indians had on shore several bowls and gourds of brandy, which they obtained daily from the sloops; and the Indians told him they could get as much as they wanted, and also all the powder and lead they required from the sloops.

On the 20th Lieutenant Couwenhoven returned with his sloop, and brought with him a Christian woman and boy whom he had ransomed. The woman, on entering the Esopus Kill, was brought to bed with a daughter. Peter Couwenhoven reported that the Indians had promised him to bring in all the captives they had within two days, and he was going back to meet them.

He accordingly went back, taking with him two Indians and a squaw, who were prisoners at Wiltwyck, but with instructions not to surrender them until he had all the Christian prisoners returned and in his possession.

On the 30th Peter Couwenhoven returned to the redoubt, from his expedition to the Wappingers, with his sloop and the two Wappinger Indians. He had released the squaw, but had only procured the release of a Dutchman and two Christian children prisoners.

The Wappinger sachem had been with the Esopus Indians at their fort, which they were erecting anew, in order to procure the release of the Christian prisoners; but when he had been with them a couple of days to negotiate for their redemption, two Mohawks and one Minqua came there, with sewan and a long message, after which the Esopus Indians exhibited great unfriendliness toward the Wappingers. He therefore felt compelled to leave, without effecting anything toward the release of any of the captives.

They ascertained from this Indian that the new fort was about four hours farther off than the other, which locality is supposed to be in the town of Mamakating, Sullivan County. Upon the promise of freedom and a new coat, the Wappinger Indian agreed to act as the guide of an expedition against the Indians, which was at once determined upon.

On the 3d of September, 1663, Captain-Lieutenant Kregier set out with fifty-five men, guided by the young Wappinger, against

the Indians. On the 5th of September, after a very laborious march, rendered very fatiguing by almost continuous rain and freshets in the streams, they came in sight of the fort at about two o'clock in the afternoon. The fort was situated on a lofty plain. They divided the force into two sections, Lieutenant Couwenhoven and Kregier commanding the right wing, and Lieutenant Stilwell and Sergeant Niessen the left wing. They proceeded in this disposition along the hill so as not to be seen, and to come right under the fort. It being somewhat level on the west side of the fort, the soldiers were seen by a squaw, who was piling wood there. She sent forth a terrible scream, which was heard by and alarmed the Indians, who were standing and working near the fort. The soldiers instantly fell upon and attacked them. They rushed through the fort to their wigwams, which were near by, to secure their arms, but with little success, as they were so closely pursued, and a continual fire kept upon them by the soldiers. They rushed to and across the stream, which ran on the opposite side of their plantation. There they made a stand and returned the soldiers' fire. They were soon dislodged, however, by the soldiers, who crossed the stream after them. They then made good their retreat to the woods.

In this attack the Indian chief named Pepequanehen, fourteen warriors, four women, and three children were killed, and probably many others were wounded who escaped. Of the soldiers three were killed and six wounded. Twenty-three Christian prisoners were rescued and thirteen Indian men and women captured.

The rescued Dutch prisoners stated that the Indians every night removed them to the woods, each night selecting a different locality, to secure them against rescue, bringing them back to the fort in the morning. The last night before their rescue, however, they were not removed, a visiting Indian of another tribe having told them it was useless, as they were so far in the woods the Dutch could not find them.

The soldiers started on their return the same day, taking their wounded and their rescued friends and the Indian prisoners and much booty with them. They arrived at Wiltwyck about noon of the 7th of September.

The preceding narrative, compiled from the official report made at the time by the commanding officer of the expedition, showing, as it does, the arrangement and order of quiet and secret approach, the peaceful and unsuspecting occupation of the Indians, working at their palisades, when first discovered, in preparation for a stay, not a departure, the narrative of the female captives as to their treatment up to the time of their rescue, and their extended liberty the last night by reason of the Indian fears of rescue being allayed,

furnishes no letter of credit to the fanciful traditionary talk of the captive women singing psalms while being led to the stake and fagots prepared for them, as victims for a holocaust, and of an heroic Walloon rushing, sword in hand and in advance, to the rescue, dealing death and destruction in his progress.

Historians have almost uniformly located the Indian fort surprised and taken in this final battle of the second Esopus Indian war as having been at Bloomingburg, in Sullivan County. The Rev. Dr. Scott, in his paper before referred to as read before the Ulster County Historical Society in 1861, and published in the transactions of that society, clearly demonstrates that the location of that fort was not at Bloomingburg, but was in the town of Shawangunk, on the east bank of the Shawangunk Kill, two miles south of the Bruynswick post-office, and twenty-eight miles from Kingston. Mr. Scott proceeds to say: "The mouth of the Kill is six miles away, and most of that distance is occupied by fine and fertile lowland. From the water rises an abrupt declivity of singular formation, reaching, it may be, an elevation of seventy-five or eighty feet, and then spreading out into a beautiful sandy plateau of twenty or thirty acres. The hill-side is covered with the original forest, and broken up into what seem to be artificial mounds. On the edge of the plain, overlooking the creek, the fort was situated, and the wigwams a little distance below. To the north, along the Kill, extends a flat of moderate dimensions, but on the opposite side are some of the finest lowlands in Ulster County. Here the Indians planted their maize, and one spot is yet distinguished as Basha's Cornfield. The plateau is covered with flints and arrow-heads, which every ploughing turns up to the hands of those who prize them.

"From the village a pathway yet preserved led across the mountains to Warwasink and the Kerhonksen settlement, just twelve miles to the north.* This was the Warwasink track; the other track bore off to the traps and through the Clove to Marbletown; and yet a third passed eastward to the Hudson through Montgomery and New Windsor, and branching near the Walkill to the south, gave access from the Esopus clans to the wigwams of the Haverstraws and the Hackensacks. Perhaps there is not in southern Ulster a more fitting place for an Indian castle, or one more suited to savage tastes. . . .

"Legends of battles fought there are yet related by the old to the young. . . . As stated before, the distance to the Kerhonksen Castle was twelve miles, and the mountain over which it passed was called Aioskawosting (the place of crossing).

* It leads over the mountain, crosses the west end of the Schoonmaker tract, a short distance west of Lake Aioskawosting, commonly called Awasting or Longpond.

"The village, which was found abandoned on the 4th of October, was in the vicinity of Burlingham. An Indian burial-ground marks the spot, and a path led from thence to the 'Hunting house' at Wurtsboro'."

The fort was square, with one row of palisades set all round, projecting about fifteen feet high above and extending three feet down below ground. They had already completed two angles of stout palisades, all of them nearly as thick as a man's body, having two rows of portholes one above the other; and they were, at the time of the attack, busy at the third angle. These angles, the report says, "were constructed so solid and strong as not to be excelled by Christians."

Nothing apparently occurred worthy of note until the 18th of September, when a communication was received from the director-general and his councillors advising the commandant in charge at Wiltwyck that they intended to send, by the first opportunity, additional soldiers and a party of Marseping savages to seek out and subdue as much as possible the Esopus Indians, and asking that necessary arrangements be made to provide them with suitable quarters. The captain-lieutenant and council of war advised the schout and commander of the requirement at Wiltwyck, and they secured the mill of Jacob Peterson for that purpose.

"On the 24th of September Dominic Blom returned to Wiltwyck from a visit to New Amsterdam; and on the 26th Peter Couwenhoven arrived with his sloop at the redoubt with some Marseping savages. As the authorities at Wiltwyck had before this experienced much trouble from the conduct of the gunner's wife on that boat retailing strong drink to Indians and Christians, including habitual drunkards, without discrimination, and to such an extent that they could "not distinguish even the door of the house," thus creating broils and trouble between white men and friendly Indians, "the captain-lieutenant and valiant council of war" sent an order to the village schout, whereby they authorized and ordered Schout Swartwout of said village "to notify and forbid the tappers or retailers of strong drink, that they do not under present circumstances sell strong drink to any one, be he Christian or Indian, under the forfeiture of the intoxicating liquor that may be found in his house. Done Wiltwyck, 26th September, 1663." (Surely broad enough to satisfy any Prohibitionist of the present day.)

On the 29th of September, the council of war ordered an expedition to set out against the Esopus Indians on the following Monday, the 1st of October, and made the necessary provisions and order therefor.

On the 1st of October, 1663, the expedition, consisting of one

hundred and two military, forty-six Marseping Indians, and "six freemen," with fourteen horses, set out in the same direction as the last one. About two o'clock in the afternoon of the second day they reached the fort where the battle had occurred; on the 5th they found in all nine pits, in which the Indians had cast their dead, and farther on three Indians, with a squaw and child unburied. That appears to indicate a greater slaughter of Indians than is stated in the preceding account of the battle. On that day and the next expeditions were sent out in different directions from the fort in search of Indians, but none were found. On the 4th the fort, the palisades, wigwams, and all crops in the ground having been destroyed, the expedition started on its return, and arrived at Wiltwyck on the evening of the 5th of October. On the 7th of October, Sunday about noon, a white girl was brought up from the redoubt, who on the day before had arrived on the opposite bank, and was immediately brought across the stream. She reported that she had escaped from an Indian who held her captive, and who lived on the opposite side of the creek, in the mountain, and about three miles from Wiltwyck. An expedition was immediately sent to capture the Indian. The hut was found empty and abandoned. They remained and watched there during the night and returned next day, having destroyed some corn they found there, and bringing the rest with them.

On the 9th of October, in accordance with a resolution of the council of war passed on the previous day, Lieutenant Couwenhoven departed in Derick Smith's sloop for New Amsterdam with all the Marseping Indians and forty military.

On the 10th Louis the Walloon went after his oxen, which had strayed away. After finding them in the rear of Jurian Westphalen's land, he was set upon by three Indians, who sprang up out of the bush. One of them shot at him with an arrow, only slightly wounding him, while he, with a piece of palisade he had in his hand, struck the Indian on his breast, so that he staggered back, and before he recovered himself Louis escaped through the Kill. A party was immediately sent out after the Indians, but they could not be found.

After this the military and inhabitants at Wiltwyck were much disturbed by reports sent in of Indians congregating on the opposite side of the river with hostile intentions. But they proved to be without foundation. They served the purpose, however, to induce the council of war and authorities to persist in compelling the reluctant and dilatory inhabitants to repair the fort and stockade. From one of the orders on that subject, it appears that besides the farmers there were inhabitants or burghers occupying thirty-four lots in the village, who were ordered to repair the pali-

sades in front of their lots. This gives an approximate idea of the size of the village at that time, showing that there were then at least thirty-four houses in the village, besides those occupied by farmers, whose number is believed to have been about twenty.

On the 7th of November a sloop arrived at the redoubt with Peter Wolfertsen, who had with him two Christian children, which he had in exchange from the Esopus Indians for a squaw and a girl.

A Wappinger sachem and one of his Indians was also on board. An arrangement was made with him to go down and endeavor to procure the release of a female Christian captive held in custody by a squaw. He was supplied with a bark canoe and left, promising to return in six or seven days. The Indian returned with the Christian female on the 13th of November upon Rut Jacobson's sloop, for which he was satisfactorily rewarded, and left.

On the 5th of November an Esopus chief had agreed with Peter Couwenhoven, on board the sloop in the Wappinger Creek, for the return of all the Christian prisoners at the redoubt within ten days, for exchange, and a ten days' truce was agreed upon. On the 17th the captain-lieutenant left on a short visit to New Amsterdam, taking some of the military with him, leaving about sixty soldiers in Wiltwyck, under the command of Sergeant Christian Niessen.

On the 1st of December two captive Christian children were returned. On Monday the 24th Sergeant Niessen assembled the schout and schepens of the village, and handed them a letter from the director-general and council, discharging Swartwout as schout and appointing Matthys Capito provisionally in his place. On the 28th of December all the captives were returned except Barent Slecht's daughter. She had married a young warrior, and chose to remain with him. The tradition is that years afterward she and her Indian husband settled on the Esopus Creek in Marbletown; he was called Jan, but it is not known whether they left any descendants or not.

During the rest of the winter the Indians remained quiet, and in March, 1664, all the company's troops were withdrawn from Wiltwyck. The militia at that time duly organized under the command of Thomas Chambers as captain and Hendrick Jochem Schoonmaker as lieutenant numbered about one hundred able-bodied men, showing a considerable increase since the massacre, when it numbered only sixty-nine.

On the 10th of November, 1663, Director-General Stuyvesant, in his report to the West India Company, stated, in reference to the expedition when the Indian fort was taken, that, after such last attack, the Indians had not more than twenty-seven or twenty-

eight effective men, fifteen or sixteen women, and a few children remaining; that through fright they had no abiding place, and did not dare to erect any huts. From information subsequently gathered, that estimate was undoubtedly not far, if any, out of the way. Of course this refers only to the specific band of savages by whom the attack was made.

While the troubles with the Indians were thus existing at Wiltwyck, the director-general and the council at New Amsterdam were annoyed and perplexed by claims of the English at Hartford and New England of title and jurisdiction over Long Island and other portions of the Dutch possessions. It is not the province of this work to go into a detail of those matters, but as the final result affected Wiltwyck, it is proper to refer to them generally. Those claims were pressed in the fall of 1663. The situation of affairs then greatly alarmed the local government at New Amsterdam. Besides the war which was being waged with the Indians about Wiltwyck, and which was entailing considerable expense upon the Government, the company's territory was invaded by Connecticut, the English villages were in revolt, and the public treasury was exhausted. Under that unfortunate situation, the burgomasters and schepens of New Amsterdam called upon the director-general and council to convoke a convention of the officers of the several towns and colonies, to take into consideration the state of the provinces. The meeting was called, but the season was so far advanced (November 1st) that only delegates from the lower towns, including part of Long Island, attended; Wiltwyck, Fort Orange, and Rensselaerwyck were not represented.

This convention adopted and transmitted a remonstrance "To the noble, great and respected Lords the Directors of the Privileged West India Company department of Amsterdam." The remonstrants set forth in their petition that the people had been encouraged to leave their "dearly beloved fatherland" by their promises to protect them in the possession of their property and lands which they settled and occupied, and also "against all civil or foreign war, usurpation, and open force." And to this end they were bound "to obtain from their high Mightinesses the Staats-General, the Supreme Sovereign commissions and patents, in due form establishing and justifying your real and legitimate jurisdiction over this province, and its territory, so far as it extended." Then the States-General could have acted and effected a definite arrangement and division of their respective limits with England, and their rights been respected; they then proceed to allege that "the English to cloak their plans now object that there is no proof, no legal commission or patent from their High Mightinesses, to substantiate and justify our rights and claims to the property of

this province, and insinuate that, through the backwardness of their High Mightinesses to grant such patent, you apparently intended to place the People here on slippery ice ; giving them lands to which your *Honours* had no right whatever." They also set forth that the English Government have granted an unlimited patent and commission, which they enforce according to their own interpretation.

Also they allude to the then existing Esopus Indian war and the massacre of the inhabitants, attributing it as " occasioned by the premature and at this conjunction totally indefensible reduction of the soldiery in the province, at a time when they ought rather to have been increased and re-enforced." And they substantially demand protection in their persons, property, and rights, and a redress of their grievances.

During the winter troubles culminated. The English continued their demands and encroachments, negotiations progressed, and one after another, by the 3d of March, 1664, the Dutch had abandoned every point their enemies had assailed. Connecticut River and Westchester were gone, and by convention concluded that day, Newtown, Flushing, Gemeco, Heemstede, and Gravesend were surrendered. At this important crisis in the affairs of the province, when apparently everything, including titles and governmental authority, were at loose ends and uncertain, the authorities resorted to, and for the first time in the history of the country fully recognized, the sovereignty of the people. On the 19th day of March, 1664, the lords directors and council of the New Netherlands, at the request of the burgomasters and schepens, summoned a general assembly of delegates from the several towns in the province, to take into consideration the state of the province, to meet at New Amsterdam on the 10th day of April, 1664.

On the 31st of March, 1664, an election was held in the village of Wiltwyck for the choice of two delegates to such assembly. Thomas Chambers and Gysbert Van Imbroeck were elected by a plurality of votes. Credentials were issued to them in the following form :

" Whereas, on the summons of the Director General and Council of New Netherland, addressed to the Schout and commissaries here, it is required that two deputies be sent from our village, Wiltwyck, to a General assembly in form of a *Landdach*, the Schout and commissaries have called us, the undersigned inhabitants of Wiltwyck together, on the day underwritten, to elect from the Commonalty two proper persons and to authorize the same as deputies to the said assembly, which shall be on the 10th April next. We have therefore by plurality of votes, chosen the worthy persons Thomas Chambers and Gysbert Van Imbroeck, to whom

we hereby give full power and authority to conclude whatever may be for the good of the common weal, and the strengthening of this place, and also to do whatsoever shall by them be found wise in the premises ; promising to confirm what the said deputies shall have decided in the premises to be best for the public good, under pain of punishment as Contraveners ; to which end we have subscribed these with our own hands. Done in Wiltwyck this 31st March, 1664." It bears a number of signatures, and is certified by Matthias Capito, secretary.

The convention met at New Amsterdam on the 10th of April, 1664, and there were delegates in attendance from New Amsterdam, Rensselaerwyck, Fort Orange, Wiltwyck, New Haerlem, Staten Island, Brukelen, Midwout, Amersfoort, New Utrecht, Boswyck, and Bergen. Jeremias Van Rensselaer from Rensselaerwyck was selected as president.

A long communication was presented to the assembly from the director-general. He explained to them the necessity of supplies ; that the West India Company had expended one million two hundred thousand guilders over and above the receipts from customs, excise, weigh scales, and tithes. A war was now pending with the Indians, and he wished the assembly to decide whether the war should be continued or peace made. If the English should summon the country to surrender, what should be done ? and he proposed a tax on mills and cattle. The convention then, after refusing to tax, on the 15th adjourned to the 22d of April.

Before the reassembling of the convention an answer was received from Holland, showing that the requests contained in the remonstrance hereinbefore alluded to, as forwarded by the convention of burgomasters and schepens, had been complied with ; that on the 23d of January, 1664, an act, under the great seal of the States-General, had been issued, declaring that the West India Company was empowered by its original charter to plant colonies in any unoccupied lands in America from Newfoundland to the Straits of Magellan, as well on the north as on the south sea, and more especially in New Netherland, and confirming the boundaries agreeably to the treaty of 1650. And necessary instructions had been given to the ambassadors at the British court for their action in the premises.

The directors advised the continuance of the war with the Esopus Indians for their extermination, and sent a military force to check the English.

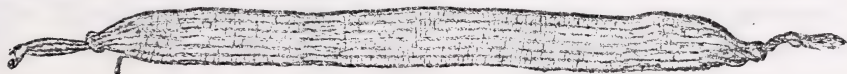
On the 22d of April this assembly reconvened, and the despatches from Holland were laid before them. The assembly deemed it useless to attempt to reduce the revolted villages, as advised by the directors, and also determined that a treaty of peace

should at once be concluded with the Indians. The Indians had already sued for peace through friendly sachems, and the situation of the province rendered it desirable.

On the 15th of May, 1664, the sachems of several tribes, including Sewackenamo, Onaghtin, and Pourewagh, chiefs of Esopus, assembled at the council chamber in Fort Amsterdam, with the director-general and various Dutch officials, including Thomas Chambers, of Wiltwyck. After the preliminaries and details of the treaty were talked over and agreed upon, Sewackenamo, one of the Esopus chiefs, arose, and several times invoking his god, Bachtamo, prayed for aid to conclude a good treaty with the Dutch, and that the one they were about negotiating should be, like the stick he grasped in his hand, firmly united the one end to the other; that all the neighboring chiefs rejoiced at the prospect of peace, and that the Marseping Indians were included. He came, with his brother sachems, to act on behalf of the Esopus Indians, "and to conclude a Peace as firm and as compact as his arms" (which he folded together). He then presented his right hand to the director-general, and added: "What I say is from the fulness of my heart; such is my desire and that of all my People."

The treaty was concluded, ratified, and signed the next day, May 16th, amid general rejoicing and salvos of artillery. The details of the treaty were substantially as follows:

By its terms all that had passed was to be forgotten and forgiven. The land already given to the Dutch as an indemnity, including the two forts belonging to the Indians, became the property of the Christians. The Indians were not to visit the village nor any remote Dutch settlement. They were permitted to plant near their new fort, and for one year by their old one. The lands in the vicinity of the forts by right of conquest were to belong to the Dutch. The Indians were not thereafter to approach the place where the whites were engaged in any agricultural matters, and a violation of that provision would subject them to arrest. They were to be permitted to sell meat or maize at the Rondout in parties of not more than three canoes at a time, on condition that they were preceded by a flag of truce to give notice of their approach. In any case of murder by a Dutchman of an Indian, or the reverse, the guilty party was to be punished as a murderer, and it would not be a cause for war. All damages for the killing of cattle were to be paid for. The conclusion of the treaty was ratified by the delivery of a belt of wampum, which is now in the county clerk's office, and of which the following is a correct picture.



The termination of the war gave great and universal satisfaction, and in acknowledgment of their gratitude to the Supreme Ruler of the universe, a day of general thanksgiving was proclaimed in the province.

Swartwout, the deposed schout, having solicited pardon from the director-general, was reinstated as schout at Wiltwyck on the 15th of February, 1664. In the succeeding month of July, however, the director-general and council at New Amsterdam, wishing to have a more immediate representative of the West India Company at Wiltwyck, appointed William Beeckman commissary at Esopus and its dependencies. His jurisdiction extended from the Katskill, where that of Fort Orange terminated, to the Danskamer, a few miles above the Highlands, which was the northern limit of the jurisdiction of Fort Amsterdam.

The English had for some time enviously viewed the Dutch possessions in America, and were not long or scrupulous in maturing plans to acquire them by robbery. Having already, through the settlement of the borders of Connecticut, largely curtailed the Dutch domain east of the Hudson River, and also acquired jurisdiction over a large part of Long Island, the King of England, on the 12th day of March, 1664, in furtherance of the accomplishment of the object, granted by a royal patent to the Duke of York and Albany a large territory in America, comprising Long Island and all islands in its neighborhood, and all the lands and rivers from the west side of the Connecticut River to the east side of the Delaware Bay, thus including the whole of the New Netherlands.

The Duke of York at once proceeded to measures for procuring possession and control of the territory thus granted to him. As lord high admiral he detached four ships of the British Navy and sent them, with about four hundred and fifty regular soldiers, with their officers, to conquer and take possession of the New Netherlands. Colonel Richard Nicolls was entrusted with the command of the expedition, and was designated as the duke's deputy-governor of the Dutch possessions when reduced.

As soon as the director-general was advised of the approach of this hostile expedition, he took what measures he could for the repair of the fortifications and defences of the city; but the fleet were very near, and by the 19th of August were below the Narrows in Nyack Bay. On the 26th of August Colonel Nicolls made a formal summons for the surrender of the city, accompanied by a proclamation that all who would submit to his Majesty's government should be protected by his Majesty's laws and justice, and peaceably enjoy their property. Stuyvesant was determined to fight it out and defend to the bitter end, but a large portion of the citizens and council, convinced of their inability to defend the

city, insisted on a surrender. In fact, the city was in no sense in a position to resist an attack. A council of war had reported Fort Amsterdam untenable; and although there were fifteen hundred souls in New Amsterdam, there were not over two hundred and fifty able to bear arms, besides one hundred and fifty regular soldiers. Stuyvesant was, therefore, compelled to consent to a surrender, and relying upon the assurance of Colonel Nicolls's promise to deliver back the city and fort "in case the difference of the limits of this Province be agreed upon betwixt his Majesty of England and the High and Mighty Staats-General," Stuyvesant appointed commissioners to agree upon articles of capitulation.

At eight o'clock the next morning, the 27th of August, 1664, the commissioners on both sides met in the city, and arranged the terms.

The articles of capitulation promised the Dutch security in their property, customs of inheritance, liberty of conscience, and church discipline; the municipal officers to continue for the present unchanged, and the town to be allowed to choose deputies, with free voices in all public affairs. For six months they were to have free intercourse with Holland, and public records were to be respected and protected.

A copy of the articles of capitulation will be given in full in the appendix.

Of course the surrender of Fort Orange and Wiltwyck followed soon after, and may, in fact, be considered as included in the capitulation. Immediately after the Dutch soldiers at New Amsterdam had left for Holland, Governor Nicolls despatched Colonel Cartwright, with his command, to take possession of those places. This was on the 10th of September, 1664, and he proceeded up the river direct to Fort Orange. On his arrival the authorities made no resistance, and the English at once took possession. An English garrison, under the command of Captain Manning, was placed in charge of the fort, which was named Fort Albany, and the name of the settlement was also changed to Albany, after the Scotch title of the Duke of York.

In the mean time, at Wiltwyck, the soldiers having, in the latter part of August, all been withdrawn to New Amsterdam on account of the English invasion, the entire community was in the greatest confusion and alarm. The civil authority was abandoned, and the militia, under the command of Captain Chambers and Lieutenant Schoonmaker, on the 1st of September assumed control of the place. On the 4th of September the court met in extraordinary session, to consider what should be done on the arrival of the English. It was finally, after considerable deliberation, resolved that, upon the firing of a cannon, the militia should repair

to the guard-house to receive orders ; that the municipal authorities should proceed and hold a conference with the English outside the gates ; that the military should also in the interval take some precautionary measures against any possible inimical action by the Indians.

Cartwright, on his return from Albany, landed at Esopus the latter part of September, and the place was surrendered without resistance, Cartwright taking the same precaution, as at Albany, to conciliate the inhabitants.

The Dutch local officers were continued in power. A garrison of regular soldiers were placed in charge of the fort, under Captain Brodhead. This Captain Brodhead, of the English regular army, came over with his command in the expedition, and brought his family with him to remain in this country. He settled here, and became a citizen of Esopus.

Governor Nicolls followed his other operations with friendly and conciliatory arrangements and treaties with the Indians, and the occupation and possession by the English became complete.

Thus was fully consummated by England, through their sovereign and the Duke of York, one of the most cowardly and dishonest stealth of a neighboring nation's unprotected territory that can be found in the history of any civilized nation on the globe. It was cowardly, because it was conceived and carried out secretly, and every possible precaution taken to keep the friendly neighboring nation, owning the territory, in ignorance of their intention. It was stealth, because the Dutch had had uninterrupted possession for half a century, and their right had been, during that entire period, recognized by the English in various ways. And the Dutch title, by discovery and possession, was in all respects similar to that which England had held and insisted on as valid and indisputable in regard to her own territories.

CHAPTER IV.

FROM THE SURRENDER TO THE ENGLISH IN 1664 TO THE SURRENDER TO THE DUTCH IN 1673.

KING CHARLES the Second, by the patent issued to his brother, the Duke of York, authorized him "to make, ordain and establish all manner of orders, laws, directions, instructions, forms and ceremonies of government and magistracy, fit and necessary for and concerning the government of the territories and islands aforesaid. . . . And the same at all times hereafter to put in execution, abrogate, revoke, or change." The Duke of York thereupon commissioned Colonel Richard Nicolls as his deputy "to perform and execute all and every the powers which are by the said letters patent granted." Nicolls, however, had in his articles of capitulation conceded special privileges to the Dutch, of which he could not deprive them.

He prepared a code of laws for the government of the lower part of the province, and summoned deputies from Long Island and Westchester, to be chosen by a majority of the taxpayers, to meet at Heemstede for their adoption. At the meeting of the delegates, when opposition was shown or change proposed to any part of the code, as submitted by Governor Nicolls, their attention was called to the terms of his credentials, and they were given to understand that they must adopt the code as he had drawn it, or appeal to the duke. They found, therefore, that their province was to register the orders of the government, not to deliberate.

No deputies were summoned from New Amsterdam, Esopus, Bergen, or Fort Orange. These places were left to continue for the time under their former mode of government and customs.

In September, 1665, Governor Nicolls visited Kingston, partly on account of some troubles which had existed the previous winter between some of the citizens and military, but chiefly to make arrangements to procure the release of more land from the Indians. In relation to the government of the place he made no change, except to place Captain Brodhead in charge of the military as a discreet officer, upon whom he felt that he could rely to avoid all cause of complaint by the citizens. The commission issued to Captain Brodhead bore date September 15th, 1665, and

the authoritative part is as follows : " I do constitute and appoint you, the said Daniel Brodhead, chief officer of the militia in the Esopus. You are to take care and use your utmost diligence for the defence of the place and People against any attempts. You are constantly to keep good guard, and your soldiers in good order and discipline, according to the rules and method of war."

This commission was speedily supplemented by lengthy instructions containing much good advice, especially in respect to the citizens within his jurisdiction. The instructions are too lengthy for insertion here, but it will not be amiss to give a brief summary.

There were eight specifications :

In the first he was enjoined to keep strict order and discipline, and not permit a soldier to judge or revenge his own case.

In the second he was directed to keep constant guard in respect to the number and health of the soldiers.

Third, to provide them weekly with their rations and ammunition.

Fourth (is given entire), " You must avoid harshness of words, and heat of passion, seeking rather to reconcile differences, than to be head of a party. Preserve yourself single and indifferent as to justice between Soldiers and Burghers. Give not too easy an ear to private whisperers and insinulators, which may overrule your judgment, and beget a prejudice in your mind against the Dutch. For though I am not apt to believe they have a natural affection for the English, yet without ill usage, I do not find them so malicious as some will seek to persuade you they are."

Fifth enjoins kind treatment of Indians, and that they are not to come in the town with " arms fixed."

Sixth and seventh are in regard to looking to his farm, and that he and the soldiers may sow and reap for themselves.

Eighth, in regard to accidental matters, he is to exercise his discretion. These instructions were dated the 23d of October, 1665. They certainly exhibit sound sense and judgment, and if lived up to would avoid much difficulty and trouble.

No other change in the government was made by Governor Nicolls. The municipal officers and the form of government continued the same. Captain Chambers was continued in command of the militia.

Having thus arranged matters in reference to the administration of affairs at Esopus, he turned his attention to the other object of his visit, suggested above, to procure more land from the natives. In regard to the details of his negotiation we have no information, and they are of no moment. The result is registered in a treaty between him and the " sachems and People called the

Esopus Indians," ratified and consummated at Fort James (New York) on the 7th day of October, 1665, the original of which is preserved among the records of the Ulster county clerk's office. It provides substantially : (1) That no act of hostility be committed on either part, and if damage is done by either party full satisfaction is to be made upon demand. (2) Murder to be punished by death. (3) A convenient house is to be built without the village, where the Indians can lodge and leave their arms, and sell or buy what they please from the Christians. (4) The said sachems and their subjects grant, alienate, and confirm to the Duke of York all their right, etc., to a "certain parcel of land lying and being to the West and Southwest of a certain Creek or River, called by the name of Kahanksen, and so up to the head thereof, where the old fort was, and so with a direct line from thence through the woods and across the meadows to the Great Hill, lying and being to the West or Southwest, which Great hill is to be the true West or Southwest bounds of the said lands. And the said creek called Kahanksen the North or Northeast bounds of the said lands here-
inmentioned. . . .

"In token of the aforesaid agreement, the aforesaid Sachems do deliver two small sticks ; and in confirmation thereof, do deliver two more small sticks to the said Richard Nicolls. And in the name of the Indians their subjects, and of the subjects do deliver two other round small sticks in token of their assent to the said agreement. And the said Richard Nicolls does deliver to their Sachems three laced red coats ;" and then the treaty further declares "that all past injuries are buried and forgotten on both sides." The sachems also agreed "to come once every year and bring some of their young People, to acknowledge every part of this agreement in the Sopes to the end that it may be kept in perpetual memory."

The consummation of this agreement enabled Governor Nicolls to offer flattering inducements for the settlement of farmers in the territory. He issued circulars for that purpose, designating the lands offered as located on the west side of the river, at or adjoining the Sopes ; adding that he had "purchased all the Sopes land, which is now ready for cultivation, being clear ground."

Unfortunately, Captain Brodhead did not heed, as he should have done, the wise counsel of Nicolls, but acted with his command in such manner as greatly to exasperate the Dutch, and increase the ill-feeling between the citizens and the soldiery. His conduct, instead of being conciliatory, was harsh and oppressive, and he countenanced the same line of action in his command. For the slightest offence by a citizen or burgher a committal to the guard-house was the punishment. A Dutch burgher, who insisted

upon keeping Christmas in the Dutch style in preference to the English, was punished by imprisonment. For some slight cause he quarrelled with Slecht, the village brewer, and one of the officers in the militia, and ordered him arrested and imprisoned. The villagers were thereby aroused, and rushed to arms and demanded his release. Brodhead called out some of his soldiers, and ordered the people to disperse; they refused. The magistrates then demanded that the prisoner should be brought before them for trial. That he refused to do. After a long parley over the matter, the people were quieted and dispersed, under an agreement that the whole matter should be submitted to Governor Nicolls.

Another cause of difficulty and ill-temper on the part of the Dutch was the killing of Hendrick Cornellisen, one of the villagers, by one of Brodhead's soldiers, William Fisher.

Governor Nicolls was notified of these difficulties, and redress demanded by the citizens. The governor on the 16th of April, 1667, appointed a commission, consisting of three persons—Counselors Needham and Delavall and Justice Van Ryen—and directed them “to go to Esopus and hear, receive and determine such and so many complaints as they shall judge necessary or of moment, and to pass sentence of imprisonment, fine, correction or suspension of office against such who shall be found guilty.” Such was their commission for the public gaze. He supplemented the commission, however, with private instructions, guarded in tone, it is true, but intimating very plainly what were his private opinions and wishes.

He advised them to “take up the Fisher murder case first, and hear the evidence patiently, and if no more notorious circumstance appears in full evidence against Fisher than is already alleged, you will conclude him guilty of Manslaughter. If it appears that the Dutchman ran upon the sword to assault Fisher, I conceive it may have happened in his own defence.”

“When you examine the rising in arms, begin with the first occasion, and you will find that Brodhead did only offer to fling a dish at the Brewer, but did not; that he offered to draw his sword, but neither did nor could; you will also find that the Brewer presently ran in upon him, made the assault, gave the first blow, after which many abuses followed; upon which beginning of the quarrel, you are to declare that the King's officer is not of so mean a quality to be struck by a Burgher, and further enlarge the discourse as you shall find fit.”

“Having proceeded thus far you are to call the chief and others the most violent actors, and promoters of the riot before you. In the first place, open the case of rising in arms against an established Garrison of his Majesty, which unlawful assembly of armed

men is no less than Treason. You are to admit of no reasonings or pretences for their so doing. . . . And according to the evidence brought in against them, who appeared the most notorious, reducing the number to a few, not exceeding six, you may conclude them by sentence in writing to be guilty of a treasonable and malicious riot, that you remit the final punishment to me ;” and he then further directed that they be brought down to him, the governor, as prisoners.

The instructions further stated that they would find that Brodhead had disobeyed his (the governor’s) instructions several times, and they would do well to suspend him for that fault alone, and thus avoid any examination in the other complaints ; and then they “ could easily answer the number of complaints that Brodhead had part of his punishment already, the rest will be committed to me” (the governor).

Another of the directions contained in the instructions was “ not to discourage the soldiers too much in public, lest the Boors insult over them. Appear favorable to the most of the Boors, but severe against the principal Incendiaries.”

Also, “ Albert Heymans and Anthony D. Elba have spoken most malicious words, and I look upon them as great incendiaries and disaffected persons ; if their words be proved they shall not be suffered to live in this government ; if they have been actors in the late riot, pitch upon them two for ringleaders, and give order to inventory and secure their estates by the Schout and Commissaries.”

They were further directed not to have a jury, and to admit very few into the room where they sat.

At the trial or examination held by the commission appointed by Governor Nicolls, under special instructions in regard to their finding, as has been stated, the complaints stated substantially that since the departure of Governor Nicolls the complainants had suffered too much injury and violence, not only from the soldiers in general, but from Captain Brodhead in particular, who, they say, ought to have punished the wrongs done by the soldiers. The complaint then proceeded in the recital of a large number of grievances which in these days would clearly, in public estimation, justify a rising and arming in self-defence.

Cornelis Barentsen Slecht was beaten in his own house by George Porter, a soldier, and also by Captain Brodhead and by other soldiers, and forced to prison.

Captain Brodhead afterward beat Tjerck Clausen without any reason, and brought him to prison. Afterward, in giving testimony before the commission, Tjerck Clausen said the reason why Captain Brodhead abused him was because he “ would keep

Christmas Day on the day customary with the Dutch, and not on the day according to the English observation." Captain Brodhead acknowledged the truth of the statement.

Another allegation was substantially that Captain Brodhead came to the house of Louis Du Bois, took an anchor of brandy, and threw it upon the ground, because Du Bois refused him brandy without payment; and he forced Du Bois to give him brandy. When Du Bois's wife went to Brodhead's house for the money, he drove her with a knife out of the house. Louis Du Bois, in his testimony on these charges, said that Captain Brodhead used his best endeavor to shew his anchor of wine when he threw it down, but could not, and yet he lost none of the drink. Mrs. Du Bois testified that Captain Brodhead had a knife in his hand when she demanded the money he owed her, and he told her that if she were not with child he would cut her, and called her many bad names. No counter-evidence seems to have been given.

It was also alleged, on New Year's Day Walran Dumont had some friends and neighbors to eat with him in his own house, whereupon Captain Brodhead, coming in, treated Walran very badly, and took the wife of Harman Hendricks from thence to prison in the guards.

Upon this charge Walran Dumont testified that last New Year's Day he had some friends at his house, and Captain Brodhead quarrelled with the wife of Harman Hendricks, and threw a glass of beer in her face, and called her many bad names, and carried her to the guard a prisoner. Captain Chambers confirmed that evidence. Brodhead admitted it, but said Harman's wife called his sister a whore, which caused the quarrel.

A number of allegations are entered in the complaints against individual soldiery for beating and misusing citizens, some wantonly and without cause, others when the citizens were protecting their property from being carried away and stolen, concerning which no investigation was had. The burghers admitted that they had assembled and armed themselves, demanding the release of Sergeant Slecht.

The following is an extract from the register of the town court:

"The wife of Cornelis Barentsen Slegt and her daughter complained to the Court, that Captain Brodhead had grievously cut, beat, and wounded Cornelius Barentsen, her husband, in his own house, and that he had also committed his body, close confined, to the guard, and would not release him."

"Upon which the court ordered, that the Court's Messenger should be sent to request Captain Brodhead to come to the court, and the said messenger received the following answer; that if the commissary would speak with him, they might come to him.

Then the Burghers being in arms the court endeavored what in them lay to prevent any further danger, and thereupon ordered Captain Chambers and Evert Pels to desire Capt Brodhead to release the said Burgher from the guard, and if the said Cornelis Barentsen had in any wise offended him, he should, according to the Governor's order, complain to the magistrates, who would see that he make satisfaction, or be punished according to the merit of his crimes. But when the two said commissaries had delivered the message to Captain Brodhead, he made them this answer, that he would keep the said Cornelis as long as he pleased, and if they would fetch him, he would be ready to wait for them."

"The court also used many arguments to the Burghers, when they were in arms, to go quietly home to their houses, and went personally themselves to persuade them, that they should not do anything against the Military, but told them they would address their cause to the Hon. Governor.

"Then the Burghers told them, the Magistrates, that Capt Brodhead and some of the Soldiers had many times threatened to burn the town, and that, with other reasons, moved them to appear in their arms, and therefore they requested to be empowered by their Magistrates to continue in their arms. But the said Magistrates utterly denied the same.

THE BURGHIERS GIVE THEIR REASONS.

"We whose names are here underwritten, inhabitants of the town of Esopus, do certify and acknowledge, that on the 4th day of February last, upon the doleful cry and lamentation of the Children of Cornelis Barentsen Slecht, that their father was miserably beaten and wounded by Capt Brodhead, and that another person, Andrias Peiterson Van Leuven, was killed in the brewhouse, at which action some of us being eye witnesses, we gathered together in an assembly at the first, and through the threatening of the militia, formerly, to burn up the town, and through their beating their drum, and their further saying they would burn the town, and that was therein the aforesaid motives and reasons moved us, that every one of us, without order of Burger or officer, did take our weapons in hand, not knowing, otherwise, but this might be the beginning or forerunner of the utter ruin of the town by the Militia, and that they would do with us what they pleased, as they had done with several persons since the Governor went from hence, as is particularly mentioned in our remonstrance to his Honor dated this 28th April 1667 in the town of Wiltwyck.

"Tjerek Clausen De Witt, Peter Helibrantzen, Cornelius Ffinchard, Peter Arienson, John Williamzen, Corn. Hoghborne, Lambert

Hubertson, Hendrick Martensen, John Jacobs Burhans, Gerrat Ffowker, Ard Martinsen, Hens. Arianson, Tunis Jacobson, Paulus Paulsen, Walrav Demont, Andries Peterson, Claus Clauson, Ffranc La Cheir, Arian Geritson, Ffredr. Peterson, John Lodman, Vrian Westfall, Derick Hendrickson, Thomas Harmonzen, John Corneliusen, Thom. Van Marken, Barnard Holstein, John Hendrix, Jan Jansen, Rodolph Hendricks, Albert Jansen, V. Steenwyck, John Barntson, John Adrianson, Adrian Hubertsen."

The commission sat three days at Esopus. Captain Brodhead, admitting the charges brought against him, was suspended from his command. Sergeant Beresford succeeded him. The burghers, in their defence, justified their resort to arms on the ground that Brodhead had imprisoned their sergeant, and the soldiers had threatened to burn the town.

Four of the alleged movers of the insurrection—Antonio d'Elba, Albert Heymans, Arent Albertson, and Cornelis Barentsen—were found guilty of a rebellious and mutinous riot, and were taken to New York for sentence. Nicolls, by advice of his council, on the 3d of May sentenced Heymans to be banished for life out of the government, and the others for shorter terms out of Esopus, Albany, and New York. All these sentences of the burghers were subsequently modified, and the offenders returned to Esopus. Fisher, the soldier who killed Cornelissen, was acquitted as having acted in self-defence.

The report or finding of the commission shows that the matter was all prejudged under the secret instructions; that the commissioners were the tools of the governor, to carry out his private orders, and not be governed by the merits or evidence in the case.

This matter is referred to in historical books as the "*mutiny at Esopus*." Mutiny is resistance to the exercise of lawful power. If an officer invades the house of a subordinate to steal, commit an assault or a trespass, resistance is not mutiny; and much more, the moment a military officer or soldier steps outside of his military calling and wilfully commits an assault or a trespass against a citizen, or unlawfully deprives him of his liberty, the military character or privilege is at once doffed and thrown aside, and resistance is *not mutiny*. It was justifiable resistance to tyranny and oppression—an outburst of the same spirit which subsequently threw off the oppressor's yoke in 1776, and carried this country triumphantly through the Revolution.

Captain Brodhead, on the 14th of July, less than three months after his suspension, died at Esopus, leaving his widow and three sons—Daniel, Charles, and Richard—him surviving.

In the mean time, war had broken out and was raging bitterly, especially on the ocean, between England and Holland, having

been instigated by English capture and retention of the New Netherlands. Communication was almost entirely cut off between England and the colonies. Nicolls had been suffering great apprehension and fear of an attack by the Dutch upon New York, and made preparations for its resistance, and was much relieved when the news arrived of the conclusion of peace between the two governments. By that treaty of peace, known as the Treaty of Breda, concluded the 21st of July, 1667, the Dutch government formally relinquished the province of New Netherlands to the English. Governor Stuyvesant was at that time in Holland settling his matters with the West India Company. Soon after the treaty of peace he went over to England, and through his application to the Duke of York, and subsequent petition to King Charles in council, he procured a grant to the Dutch of a temporary permission freely to trade with New York for seven years with their ships only. He then returned to New York, where he spent the rest of his days. This order was in force but a short time, and was formally revoked by the king and Privy Council, November 18th, 1668.

Governor Nicolls had for some time desired to be relieved of his office, and made applications to the Duke of York for that purpose. The Duke of York finally, early in 1668, sent Colonel Francis Lovelace to relieve him. But Lovelace, on his arrival at New York, did not at once assume the governorship, but spent some time to familiarize himself with the duties of his office. In August, 1668, Nicolls formally transferred his command to his successor, Colonel Lovelace, and on the 28th embarked for Europe.

Soon after assuming the duties of his office, and on the 5th of September, Governor Lovelace proceeded to the Esopus to attend personally to the regulation and settlement of some matters there, and to become conversant with its situation and its needs. On his arrival at Esopus, he ordered Sergeant Beresford, who was in command, to arrange for the discharge of the garrison, and leave its duty to be performed by the burghers. As an inducement for the soldiers attached to the garrison to remain and become citizens, he promised them liberal grants of land. With a view of carrying out such inducements, he gave instructions to Henry Pawling to lay out lots further inland for the new and additional settlement. He then returned to New York.

On the 9th of September, 1669, at a council before Governor Lovelace, it was ordered that the garrison at Esopus be disbanded and dismissed of their military employment. It was also ordered that a commission, consisting of Ralph Whitfield as president, and Captain John Manning, Captain Jacques Cortelyou, Captain Thomas Chambers, William Beeckman, schout, Henry Pawling,

and Christopher Berrisford, go up to Esopus to regulate the affairs of that place and “of the New Dorp.”

This commission commenced their sessions on the 17th of September, 1669, and closed their labors on the 29th of that month. During their session they passed a number of ordinances in relation to Esopus. By one of the ordinances, they “do hereby strictly order and enjoin that no person do utter or sell any grain whatsoever, to be transported from Kingston, Hurley, and Marbletown, but such as shall be well cleansed and unmingled with other, upon pain of forfeiture” of one third thereof—one third forfeited to go to the king, one third to the informer, and the other third to the schout and commissaries. On the 29th of September they made a further ordinance for the more effectual enforcement of the preceding one, providing for the appointment of an officer to measure the corn intended for transportation, and not to suffer the transportation of any which is not “truly merchantable.”

On the 23d of September they made another ordinance requiring the schout and commissaries to drain the “swampish or morass ground lying and adjoining to the said town”—Kingston—“by the last day of November next ensuing, under pain of forfeiture of one hundred Skipplles of wheat to his Majesty.”

On the same day they passed another ordinance, by which the schout and commissaries were strictly enjoined to repair “the Dominie’s house or town house in Kingston, which now grows ruinous, to prevent further damage, it being of absolute necessity to keep that house in good repair, in regard to the frequent use of it, both for religious duties and civil affairs.”

“Which reparation being for the public good, ought to be performed at the public charge.” And they authorized the amount to be levied on the town of Kingston. By another ordinance passed on the same day, they “strictly enjoin all persons not to utter or sell, to any Indian or Indians, such quantities of strong liquors as shall make them drunk, upon the penalties following”—for the first offence, five pounds; for the second offence, ten pounds; and for the third offence, banishment out of the town: two thirds of the penalty to go to the poor and one third to the schout.

Another ordinance designated Thomas Chambers as surveyor-general of highways and common roads in the three towns, Kingston, Hurley, and Marbletown, with power to fine the schouts and commissaries for any neglect of duty in keeping the roads in order.

On the 25th of September they passed an ordinance changing the name of the town from Sopus and Wiltwyck to Kingston; also directed the schout and commissaries of Kingston to have two men constantly on duty keeping watch at the redoubt, at the charge of

Kingston, and enjoining them well and sufficiently to repair the said redoubt within six weeks after date of order.

The commissioners located the sites for the two new villages. The farther one they called Marbletown, from the character of the stone abounding there; and the nearer one, having been heretofore frequently referred to as "New Dorp," they called Hurley, after the home of Lovelace's ancestry on the Thames. The change of the name of Esopus and Wiltwyck to Kingston, as before stated, was in further compliment, it is said, to Governor Lovelace, whose mother's family had a seat at Kingston L'Isle, near Wantage, in Berkshire.

Separate lots in the two new villages were to be allotted to the disbanded soldiers. A tract of land at Marbletown was allotted to Ann, the widow of Captain Brodhead, by special direction of the governor, "in regard to her great charge, and her being a commissioned officer's widow."

The commissioners, making arrangements for the future government of that locality, abrogated the Dutch laws and regulations, and proclaimed them subject to the "Duke's Laws."

The commissioners appointed Christopher Beresford as chief magistrate of Hurley and Marbletown, and Henry Pawling officer over the Indians. Louis Du Bois and Albert Heymans were appointed overseers for Hurley, John Biggs and Frederick Hussey for Marbletown, and Thomas Chambers and William Beeckman for Kingston.

The "Duke's Laws" above referred to are those which were submitted by Governor Nicolls in the early part of his administration to delegates of the several precincts on Long Island, and promulgated for the government of that portion of the province.

As they were at this time extended over this section of the province, it is proper that they should be more particularly referred to here. It will not be necessary, however, to give more than a general analysis of their provisions, so that the reader may understand their nature and character.

The code provided for a court of assizes, which was to meet once a year in the city of New York. The governor and council, however, might, in capital cases, issue commissions of *oyer and terminer* for their trial.

It provided also for inferior courts of sessions to be held three times a year in each riding. Those courts were to be composed of three justices of the peace, and in which any counsellor might preside.

It provided for trials by jurymen, not to exceed seven in number, except in capital cases; also for arbitration in small cases between neighbors.

In cases not specially provided for, the sessions were to remit them to the next assizes, where equity cases were to be disposed of and punishment awarded, "according to the discretion of the bench, not contrary to the law of England."

There was to be a local court in each town for the trial of all causes involving less than five pounds, to be held by the constable and six overseers; an appeal to be had therefrom to the sessions.

Eight overseers were to be chosen for each town by a majority of freeholders. Four of these overseers retired at the end of each year, and from them a constable was to be annually chosen on the 1st or 2d of April by the freeholders, and he was to be confirmed by the justices of the next sessions. The constable and overseers were vested with power to make local ordinances in the several towns.

A high sheriff was to be appointed annually by the governor, and also an under-sheriff in each riding. Justices of the peace to hold office during pleasure. The governor and council had power to remove any officer for cause.

They provided for assessment and taxation, and made provision for the collection of the assessments and taxes.

The tenure of lands was to be under the Duke of York. All persons were required to bring in their old grants, and take out new patents from the governor. No purchase of lands from the Indians was to be valid without leave of the governor, and satisfaction before him acknowledged by the Indian owner.

Barter with Indians in fire-arms, ammunition, strong liquors, or furs, was not allowed without the governor's license.

No preference given to any particular religious denomination. The Reformed Dutch Church retained its ancient ecclesiastical system.

Slavery was recognized, but slaves were to be protected from abuse.

All males over sixteen years old, except certain persons specially exempt, were subject to military duty and to be enrolled, but not obliged to bear arms beyond the limits of the government.

Every town was to provide a pair of stocks and a pound, and a pillory was to be erected in each place where the courts of sessions were held.

The commissioners before mentioned, although they had perfected arrangements for the government of the new villages and for the division of the land, had not made out or perfected the actual allotment or grants of land among those entitled. For that reason, early in the following spring, in March, 1670, upon the opening of navigation, the governor commissioned his brother, Captain Dudley Lovelace, Jacques Cortelyou, William Beeckman,

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Christopher Beresford, and Henry Pawling, to proceed to Kingston, establish the boundaries of the new towns, and lay out and define the lots in the new villages, and make the necessary allotments and grants thereof.

The commissioners met at Kingston on the 30th of March, 1670, and after organizing by the appointment of Captain Lovelace as their president, immediately proceeded to business. They designated the boundary lines of the towns of Kingston, Marbletown, and Hurley; divided the lands selected for settlement into parcels of two and a half acres each, distributed them among the soldiers by lot, and gave the necessary grants therefor. By a special provision in each one of the conveyances, the lands were to be forfeited and the title revert to the duke unless the lot was built upon and occupied within two years, and the lands were inalienable for three years. After disposing of the land matters, the commission established and promulgated various local regulations, completed their business on the 11th day of April, and adjourned.

The said commissioners also, during those sessions, made arrangements for the survey and division of about seven hundred acres of land, part in Marbletown and part in Hurley, into thirty-acre lots for tillage and farming purposes.

The lots, laid out and distributed among the soldiers, were located on both sides of the present Marbletown stage road. It is said that, within two years after such distribution, the village of Marbletown contained about fifty houses, mostly log-houses. During the troublesome and dangerous times connected with the first settlements, it was the policy of the government to require settlers to locate as compactly as possible. But as dangers lessened, the village dwellings were abandoned by the farmers for the more convenient occupation of their farms. When there was no immediate call for a village, or general business to justify it, the temporary and inexpensive dwellings became deserted and dwindled away. That was the case with Marbletown. There is nothing now left there to indicate the former existence of such settlement.

In 1671 such movements were made by the French in Canada, together with suspicious actions on the part of many of the Indian tribes in Northern and Central New York, that much alarm was created in the province, and led to some preparations for protection and defence. It is supposed that such appearances led to the order of the 16th of May, 1671, by which the inhabitants of Wiltwyck were peremptorily ordered to renew their stockade, and it was apportioned by rods among the different householders upon some basis not explained. It appears that the number of rods of stockade thus apportioned among the inhabitants to be rebuilt was

three hundred and seventy-nine and one half, showing that the stockade was considerably over a mile in extent.

Such order was made by Thomas Delavall and Captain Dudley Lovelace, who had arrived there on the 3d of May as a special commission appointed by the governor and council to settle all extraordinary disputes between the inhabitants themselves, and redress any grievances sustained by them from the government. They also brought with them the commission of Isaac Greevenwart as sheriff, who was immediately inducted into office, and superseded William Beeckman, who had continued, until that time, satisfactorily to discharge the duties of that office. He at once left Kingston, and returned to his former residence in New York. At the same time, Captain Thomas Chambers was made a justice of the peace.

Nothing special appears to have transpired in the Esopus; its three villages prospered greatly; they encountered no trouble with the Indians, and all transactions with them were conducted satisfactorily and without any serious difficulty. The wheels of their local government appear to have moved smoothly and without hitching. The inhabitants of those three villages are reported to have raised, in the year 1672, twenty-five thousand schepels of corn. It was, in fact, the greatest corn-raising region in the then settled portion of the State.

On the 16th of October, 1672, the land owned by Captain Thomas Chambers in the Esopus, near Kingston, was erected into a manor, with the usual privileges, and named Fox Hall; and in the same year Counsellor Delavall was authorized to build a storehouse on tide-water, near the redoubt.

The patent thus conferred upon Thomas Chambers being short, is copied as follows:

‘Whereas Captain Thomas Chambers, a Justice of the Peace at Esopus, hath been an ancient inhabitant in those parts, where he hath done signal and notal service, in the times of the war against the Indians, and having by his industry in time of peace, acquired considerable estate, of which he now stands possessed, among the rest a mansion house not far from the town of Kingston, commonly called Fox hall, with a great tract of land thereto belonging, which said house is made defensible against any sudden incursions of Indians or others. In acknowledgment of the services heretofore done by the said Captain Thomas Chambers, and in part recompense thereof, I have thought fit to erect the said mansion house, called Fox hall, and land belonging to it, into a manor, to be known by the name of the ‘Manor of Fox hall;’ the which shall for the time to come be held, deemed, reputed, taken and be, an entire enfranchisement manor of itself, and shall always from time

to time have, hold and enjoy like and equal privileges with other manors within the government, and shall in no manner or any wise, be under the rule, order or directions of any town Court, but by the general Court of Assizes, or as from time to time the said Capt Chambers shall receive orders or directions from his Governor and his council."

In order to consolidate the Fox Hall narrative, it is here stated that, fourteen years subsequent to the issue of the above-recited patent, and in 1686, Governor Dongan issued a new patent to the said Chambers, confirmatory of the above, and explaining the rights and powers conferred more extensively and in greater detail. He therein recites the various parcels of land within the manor, adds thereto one hundred acres, and "erects, makes, and constitutes the said tracts and parcels of land into one Lordship and Manor of Fox hall," and allowed him one court leet and court baron.

Some discussion has been had as to the location of the "mansion house," which is so prominently named by Governor Lovelace in his patent. It is difficult to see how there can be any doubt about it.

Tradition and the custom of ages inform us of the locality of Fox Hall. A large portion of that locality remained, until a comparatively recent period, and for more than a century, in the possession of the Van Gaasbeek family, who derived it under Chambers. That locality is where the Van Leuven and Kiersted farms, at the termination of manor place, are situated. The original house was in the immediate vicinity of the village where the house of William M. Hayes is now. It could not have been at Rondout, because that locality was never known or designated as "Fox hall," and is too far from the village of Kingston to correspond with the description in the patent of 1672 as being not far from Kingston, nor with well-established historical facts bearing upon the distance of his residence from Wiltwyck. Rondout at that time was in the midst of a heavy forest, which had to be cleared for cultivation. The location now known as Fox Hall was directly upon the edge of extensive prairie land, ready for cultivation without the aid of the woodman's axe.

In the latter part of April, 1673, while Governor Lovelace was absent from the city on official business, word came to New York that a Dutch squadron was on its way north from the West Indies. The governor was immediately summoned back to the capital. On his arrival, considering the report a false alarm, and feeling no apprehension of danger, he made no special preparations for the defence of the city, except summoning some soldiers from Albany, Esopus, and Delaware. They arrived and were mustered on the

1st of May, nearly one hundred and thirty enlisted men. On the 29th of May they made another muster ; then with volunteers and soldiers the force amounted to three hundred and thirty. The governor soon after discharged many of the soldiers, and sent back those who had come down from Albany and Esopus, leaving Captain Manning in the garrison with only about eighty men, and taking no action to put the fort and city in a state of defence.

On the 29th of July, 1673, the Dutch ships made their appearance. The governor was again absent from the city. After some negotiations between Captain Manning, in command of the forces in the city, and the Dutch admiral, and no satisfactory arrangement concluded, the Dutch opened fire upon the fort on the 30th of July. After they had fired some guns and killed and wounded some of the soldiers in the fort, they landed about six hundred men to storm the fortress. Captain Manning then raised a white flag, but by mistake and without his authority the English colors were lowered and the fort surrendered. The Dutch fleet, when it reached New York, consisted of twenty-three vessels, carrying sixteen hundred men.

Thus New York became again a Dutch province.

CHAPTER V.

FROM THE DUTCH SUPREMACY IN 1673 TO THE ACCESSION OF
JAMES THE SECOND IN 1685.

IMMEDIATELY after the surrender, as stated in the last chapter, the Dutch naval and army officers organized a council of war, which was held at the Stadt House. It was attended by Commodores Cornelius Evertse, Jr., and Jacob Binckes, and Captains Anthony Colve, Nicolas Boes, and Abram Ferd. Vanzyll. Summonses were at once issued to all the magistrates and constables of East Jersey, Long Island, Esopus, and Albany, to come forthwith to New York and take the oath of allegiance. The council then designated Captain Colve as governor-general, to hold supreme command over the province.

The Esopus officers attended on the 1st of September, 1673, in obedience to the summons, and acknowledged allegiance to the new government. The council made an order changing the name of Kingston to Swanenburgh. It also directed the three towns, Swanenburgh (Kingston), Hurley, and Marbletown, to make duplicate nominations for officers, from whom the council could make its appointments, with special instructions that none should be nominated who were not of the Reformed religion, or were not friendly to the Dutch government.

Governor-General Colve appointed Isaac Grevenwart as schout and William La Montagne as secretary of the three towns. The schout on the 25th of October took the official oath before the council, and on the 30th received his commission. Cornelius Wynkoop, Dr. Roeliff Kiersted, Wessel Ten Broeck, and Jan Burhans, were appointed schepens for Swanenburgh, and respectively took the oath of allegiance to the Staats-General.

Soon after this the Dutch commodores sailed for Europe, and Colve assumed the entire government. He at once promulgated regulations and orders to establish a general system of government for the towns, which, in fact, substantially revived the Spuyvesant system. He therein specially directed the local magistrates to "take care that the Reformed Christian religion be maintained in Conformity to the Synod of Dordrecht, without permitting any other sects attempting anything contrary thereto."

The Dutch control of the New Netherlands was of very short duration. In February, 1674, a treaty of peace between Great Britain and the United Netherlands was entered into and duly executed at Westminster, whereby the Treaty of Breda was revived, and the New Netherlands restored to Great Britain.

In April of that year Major Edmund Andros was commissioned by the King of England to proceed to New York and, in the name of the king, receive the surrender of the province. Governor Andros, with his suite, arrived at New York on the 22d of October, 1674, and on Saturday, the 10th of November, Governor Colve formally surrendered the province to the new governor, as the representative of his Britannic Majesty.

Governor Andros came under very lengthy special instructions from the Duke of York in regard to the conduct of the government. Among other important matters, the instructions directed that perfect freedom of conscience should be allowed ; that justice should be administered with all possible equality, without regard to nationality, whether Dutch or English. The laws and ordinances established by Nicolls and Lovelace were not to be varied from except upon "emergent necessities, and then only with the advice of the council, and the gravest and most experienced inhabitants." No alteration was to be valid unless confirmed by the duke within a year. The council was to consist of ten of the most prudent inhabitants, to be selected by him, and he was required to consult with it upon all extraordinary occasions in relation to the public service.

Immediately after entering upon the duties of his office, he sent a letter to the Dutch officials at Esopus, demanding the surrender of their offices, and appointed George Hall sheriff of that section and Robert Peacock constable. He also reinstated the other officers who held under Governor Lovelace. On the 9th of November, 1674, he issued a proclamation confirming all former grants and all legal judicial proceedings, and the possessors, by virtue thereof, were to remain in quiet possession of their rights, and the code of laws known as the "Duke's Laws" were confirmed and declared operative. In March, 1675, he issued another proclamation, by which he required all persons who intended to continue "under his Majesty's obedience within his Royal Highness' government, to appear, at such times and places as the Magistrates within the respective towns and places where they live shall appoint, to take the usual oaths of allegiance and fidelity."

On the 19th of January, 1675, Governor Andros wrote a letter addressed "to the Inhabitants of Kingston at Esopus." In it he acknowledges the receipt of a communication from them that "all things are well and quiet in the town." He thanked them for

their care therein ; that, as to the militia, he had appointed Captain Thomas Chambers to command until further orders. He then stated, " For the peace you mention with the Indians, you will do well to renew it, as has been customary formerly."

At a council meeting held on the 12th of March, 1677, upon " the request of divers persons from Kingston, that they might have new lots laid out for them without the town," it was allowed that land should be laid out for them near the town, as desired, but their buildings to be within the town ; and such as want a place to build might pitch upon any vacant lot under agreement, or by order of the magistrates, to be apprizd and paid for as vacant ground.

It will be recollected that a tract of land was ceded to Governor Nicolls by the Indians, part of which had been portioned out among the soldiers, and other settlements had been subsequently made thereon. It was deemed important that a special and distinct understanding should be had with the Indians in regard to the particular boundaries of that grant, as well as other lands at that time possessed on the northerly side of the Rondout Creek, so as, among other reasons, to avoid all bickerings in the future on the part of the Indians, that the lands possessed had not been bought and paid for. Therefore, in the spring of 1677 the Esopus Indians were called to a conference with the governor and magistrates on that subject. The meeting was held on the 27th of April, 1677, at Kingston, and the following is a copy of the official account of the proceedings :

" KINGSTON, the 27 April, 1677.

" Present His Honor The Governor, Capt. Salisbury, Capt Chambers, Mr. West and the Magistrates : George Davit Interpreter. His Honor the Governor asked the Esopus sachems Seworakan, Powerewague, Kailkop, Ankrop and the majority of the Esopus Indians, women as well as men, and youths, whether they had any claims upon the land occupied by us in pursuance of the agreement made with his Honor Governor Nicolls. They went out and after some time spent in deliberation Kailkop said, that they did not think they had sold land so far north, but they were well satisfied we should have it, provided his Honor would give him a blanket, a shirt and a loaf of bread. The Governor then enquired whether that would satisfy them completely, to which he replied yes ; but if his Honor would add a piece of Cloth, it would be well. He, and the Sachems and all the other Indians were told to point out or describe the boundaries as they were to be now. They described them as follows. Beginning at the Ronduyt Kill, thence to a Kill called Kahakasnik, north along the hills to a Kill called Magowasingineck, thence to the second fall, easterly

to the Freedeyachkamick, on the Groote Revier, along the river south to Ronduyt Kill, with every thing lying within these good and bad hills, valleys, waters etc. Kaillkop further declared that he had ceded to the old sawyer his claim upon a Kill, called the Sawyers Kill, and the land stretching up to the boundary of the land belonging to the Katskil Indians, along the river as far as the mountains above. Whereupon his Honor the Governor asked the Sachems and all the other Savages old and young, whether this was so; they should give a free and fearless answer. They replied it was so, and nobody else had any claim upon the land. Questioned once more, whether they were satisfied with the aforesaid payment, they said yes fully. His Honor then gave to Kaillkop in presence of all the others the articles agreed upon as full pay; to wit, a blanket, a shirt, baize for socks, a piece of cloth and a loaf of bread."

The agreement was signed by the sachems in behalf of all the Esopus Indians.

On the 29th of September, 1677, a patent was granted by Governor Andros to Louis Du Bois, Christian Doyan, Abraham Hasbrocq, André Lefebvre, Jean Has Brocqs, Peter Doyan, Louis Beviere, Anthoine Crispell, Abraham Du Bois, Hugo Frere, Isaac Du Bois, Simon Lefebvre, then residents of Esopus, for a large tract of land extending along the Shawangunk Mountains from "Mohunk" to "Taurataque," and along the Hudson River from "Raphoos" down to "Jauffroue Hook." The tract had been previously purchased by the patentees from the Indians, and comprised about one hundred and forty-four square miles.

In the next spring, after the grant, nine of the patentees removed with their families, took possession of their purchase, and located themselves where the village of New Paltz is now situated. The rich and extensive lowlands along the Walkill formed the attraction which drew them thither. Being prairie land, it was at once ready for cultivation. This was the first Christian settlement in that locality, and the lands under their management soon became one of the richest and most prosperous farming sections of the country.

In reply to sundry inquiries made by the Duke of York, Governor Andros thus described the nature of the government in 1678:

1. The governor is to have a council, not exceeding ten, with whose advice he is to act for the good and safety of the country. In every town, village, or parish, there is a petty court, with jurisdiction to five pounds and under; an appeal lies from it to the sessions. There are courts of sessions in the several precincts on Long Island and towns of New York, Albany, and Esopus, and some small or poor islands and out places. The courts of sessions

have jurisdictions in all sums over five and under twenty pounds, with right of appeal to the assizes. The general court of assizes meets at New York once a year, and is composed of the governor and all the justices and magistrates.

The chief legislative power is in the governor, with advice of the council. The executive power, of judgment rendered by the courts, is in the sheriff and other civil officers.

While Governor Andros was thus absent from home, and engaged in administering the government of the colony, his enemies were at work endeavoring to undermine his influence and standing with the duke. They succeeded, to a certain extent, in poisoning the mind of his patron, by making numerous charges of misconduct against him, including a misappropriation of the revenues. They also accused him of improperly favoring Dutchmen in trade, and making laws injurious to the English.

The duke thereupon, on the 24th of May, 1680, gave a commission to a man named John Lewin, to proceed to New York and make a thorough investigation into all the revenue accounts of the province, examine the records, and ascertain also whether trade had been obstructed, and, if so, how it could be remedied. He also sent by Lewin an order to Governor Andros to commit his government to the care of Lieutenant Brockholls, who was the commandant at Albany, give such instructions for the public safety as circumstances might require, and return to England by the first conveyance.

Lewin arrived in New York on the 16th of October. As soon as Andros received the duke's orders, he at once convened the council, summoned Brockholls from Albany, and made his arrangements to leave. He sailed on the 6th of January, 1681.

On the 9th of December, 1680, there appeared an extraordinary comet, which caused very great consternation throughout the province, with forebodings of dreadful happenings and divine punishments. It is described, in a letter dated January 1st, 1681, as having "appeared in the Southwest on the ninth of December last, about two o'clock in the afternoon, fair sunshine weather, a little above the sun, which takes its course more northerly, and was seen the Sunday night, right after about twilight, with a very fiery tail or streamer in the west, to the great astonishment of all spectators, and is now seen every night with clear weather. Undoubtedly, God threatens us with dreadful punishments if we do not repent." The letter then suggested the propriety of proclaiming a day of humiliation and prayer.

Soon after the departure of Governor Andros the incapacity of Brockholls, added to the stupidity or meddlesome wickedness of Lewin, produced great trouble and insubordination throughout

the province. Esopus was affected to such an extent that Sheriff Delavall was specially ordered to prevent "all undue and unlawful meetings of the People without authority."

It appears that the revenue laws, including both direct and indirect taxation, had, when passed, been limited in their operation to three years, which time had very nearly expired when Governor Andros left. As soon as the limit was reached, the people refused to pay, and denied the authority of the existing government to impose or collect taxes or duties. The principle of "taxation only by consent" was boldly set forth and insisted on, and the provincial government was powerless in the premises; they could not stem the popular current. A metropolitan jury presented to the court of assizes the want of a provincial assembly as a grievance. The court thereupon adopted a petition to the Duke of York, representing that "revenues and burdens had been exacted from them (the people) against their wills, their trade burdened, and their liberty enthralled, contrary to the privileges of loyal subjects;" and petitioned that his province might for the future be ruled by a governor, council, and assembly, "the assembly to be duly elected and chosen by the Freeholders of this your Royal Highness' Colony."

It appears, from a letter written by Colonel Brockholls to Captain Delavall, the chief magistrate at Esopus, that the troubles and insubordination in that region were of such character that Sheriff Delavall wanted to resign. The records and papers do not show the particular nature and character of the disturbances, but the tenor of the letters lead to the inference that it arose in part in the matter of the disposal of land, and even reached the bench of magistrates, and created a division thereon. Louis Du Bois, one of the magistrates, appears to have been one of the ringleaders or offenders therein. In the letter above alluded to, dated January 12th, 1682, Brockholls stated to Delavall that he was sorry so much trouble had happened to him, which he had thought his last letter would have greatly prevented; that in the matter of the disposal of land, "the thing chiefly insisted on," he approved of his demanding the full observance of the law, "which gives particular directions, and is the rule for all to walk by." In regard to "building on out farms," he stated that it was "certainly most necessary to keep together in townships, and if any contrary, to be proceeded against accordingly." The letter then continued, as follows: "I knew your good nature did so far condescend when here to pass by all former affronts from Justice Louis Du Bois, and hoped his carriage and comportment would not have provoked you again, but find my expectation deceived." The letter then contains an entreaty for Delavall "to bear as easily as possible," as

there was no other remedy to prevent a quarrel ; and Brockholls refused to permit him to lay down his commission, and then continued, as follows : " But desire the diligent execution thereof, for the general good, in which you never have been wanting."

In the month of March he wrote another letter to Captain Delavall, in which, after acknowledging the receipt of one dated the 3d of March, 1682, he stated that he " expected a better account of your parties than the continued discord, especially among the magistrates, whose business it is to prevent it in others, much more to avoid it in themselves. I know not where the fault particularly lies, but believe you will be no ways wanting." In reference to some Indian reports referred to by Captain Delavall in the letter, he believed them to be groundless, but offered to send ordinance. He also stated that he had received orders for the continuance of all magistrates and justices in their several stations until further orders.

Captain Delavall died not long after the receipt of the above letter. Louis Du Bois continued to be as troublesome and vexatious as ever ; but our limited knowledge of the cause, origin, or character of the trouble prevents the formation of any opinion as to its actual merits.

In January, 1682, Andros was tried before the duke's commissioners upon the charges which had been presented against him. On such trial he was acquitted of all censure, and complimented on his administration ; and was then made a gentleman of the king's privy chamber.

In February, 1682, Brockholls was instructed " to keep all things in New York and its dependencies in good order," and it was intimated, in behalf of the duke, that the prayer for an assembly would probably be granted upon certain conditions. The duke, however, continued to procrastinate, and hesitated to comply ; but he found the people unyielding, and saw that unless he complied there would be no revenue.

In March, 1684, the duke instructed Brockholls that he intended " to establish such a form of Government at New York as shall have all the advantages and privileges which the other plantations of his Majesty enjoy ; particularly in choosing an assembly, and in all other things, as near as may be, agreeable to the laws of England. But I shall expect that the county of New York, and its dependencies, shall provide funds for the support of the Government and garrison, and discharge of arrears." Notwithstanding such assurances, he still hesitated, but found the people would not be satisfied with honeyed words and phrases ; they demanded something more than promises. In the mean time, the disturbances

at New York continued, and Esopus and Albany, as well as Long Island, gave the government much trouble.

On the 25th of October, 1682, Brockholls wrote to the magistrates and court at Esopus, that the existing magistrates and justices were continued in office, and that a commission had been issued to Thomas Chambers as justice in the place of Thomas Delavall deceased. He also therein stated his approval of the building of a prison and court-house, and directed that the cost thereof should be defrayed by all the inhabitants of the several towns proportionably.

It appears there had been trouble at the then last court of sessions at Kingston between the magistrates, on account of which they had been compelled to adjourn the court. That fact is alluded to in the letter, and Louis Du Bois is charged with being the cause thereof, and that on that account, and also on account of former complaints made against him, they had determined to remove him, and asked that the names of two fit persons, living near to him, be sent at the first opportunity, from whom a successor might be selected.

On the 15th of January, 1683, Brockholls acknowledged the receipt of a letter from Thomas Chambers, dated 28th of December, "by Indian Post," with good news of peace and quiet, and then wrote to Chambers as follows: "I thought Du Bois being put out of Commission, would have ceased giving your further trouble, which I find he does not, but if he persists in being troublesome, such legal course must be taken as may make him quiet." He then signified his approval of Chambers's restoration of an Indian child, which had been seized by force to compel the payment of a debt, and said: "If the inhabitants trust any of them (the Indians), it is on their own peril and risque, being without remedy for recovery."

He suggested that "an ordinary for the entertainment of strangers was very necessary, and if an honest, sufficient man will undertake the same, he may be licensed and authorized as the law directs."

Notwithstanding the removal of Du Bois, the troubles on the bench appear to have continued in Kingston, and call for more reproof.

On the 6th of April, 1683, Captain Brockholls wrote to Thomas Chambers, and expressed surprise that he, Chambers, who had been appointed to keep and preserve peace and order, and show good pattern and example, should have been so easily excited, with passion and prejudice, without provocation. That his duty was to distribute justice equally, impartially, and with moderation and meekness, the law being his guide; and if his opinion was "over



voted," it was his duty silently to give way and acquiesce. That he saw no cause for the removal of Mr. La Montagne from office ; he must continue in office as constable. He further stated that, upon an equal division of the court, the constable or president of the court had the casting vote.

The Duke of York, becoming fully satisfied that he would not be able to realize any income whatever from the province until he yielded to the demand for an assembly, and also constrained, by the extremely unsettled condition of affairs in his province under the existing defective government, finally, in October, 1682, commissioned Colonel Thomas Dongan to be his colonial-governor. In January, 1683, he sent a notice to Brockholls that the new governor would soon be at his post.

The Duke of York, in his instructions to the new governor, directed him, on his arrival at New York, to call together Frederick Phillipse, Stephen Van Cortlandt, and others of the most eminent inhabitants, not exceeding ten in all, "and swear them to allegiance to the King, fealty to the Duke as Lord and Proprietor, and official faithfulness as members of his Council."

This council was to enjoy freedom of debate, and vote in all affairs affecting the public. They were to hold their office, subject to suspension by the governor, until the duke's pleasure should be signified.

He was further directed, immediately on his arrival, with advice of the council, to issue writs to the proper officers in all parts of his government, for the election of a general assembly of all the freeholders, to be composed of delegates chosen by the freeholders as their representatives, to consult with the governor and council what laws are "fit and necessary to be made and established, for the good weal and government of said Colony, and its dependencies, and all the inhabitants thereof."

The number of delegates was not to exceed eighteen in all, and were to meet in the city of New York. They were to have free liberty to consult and debate among themselves in regard to all laws deemed proper to be established for the government of the province and its dependencies.

All laws, when agreed to by the assembly, were to be submitted to the governor and council, and if agreed to by them, were to be the laws of the province, and considered good and binding until disapproved by the duke.

Among other directions for the protection of life and property, the instructions provided that no war could be made without the duke's command, nor any duties levied until enacted by a colonial assembly.

Thus were the inhabitants of the province of New York granted

a voice in the government, and the principle recognized, "No taxation without representation."

Governor Dongan arrived in New York on the 28th of August, 1683. On the 13th of September, 1683, he issued writs to the different precincts for the choice of representatives by the freeholders, to appear for them in a general assembly, to be held at New York on the 17th day of October then next. The writ issued to Esopus ordered the sheriff of Esopus to warn the freeholders of each town to choose four of their number as a committee, to meet with a similar committee from each of the other towns in the precinct, at the sessions house, and there to choose two to be the representatives for Esopus at a general assembly to be held at New York the 17th day of October next ensuing. The delegates elected for Esopus were Henry Beeckman and William Ashford.

The elections were held in the different precincts or ridings, and delegates elected according to the following apportionment; a majority of those chosen were of the Dutch nation.

Long Island, two in each riding; Staten Island, one; Esopus, two; New York, with Harlem, four; Albany and Rensselaerwick, two; Schenectady, one; Pemaquid, one; Martha's Vineyard and Nantucket, one.

On September 13th, Governor Dongan established the current value of foreign coin as follows: All pieces of 8, being Mexican pillars weighing 15 pwt., 6/; all Peru of good silver, same weight, 5/ halves, 3/ quarters, $\frac{1}{4}$ reals, 9 pence.

The 17th day of October, 1683, was rendered memorable and distinguished in the history of New York by the first meeting of the people's representatives in a deliberative assembly, under British rule, to propound laws for the government of the province. Seventeen delegates to the general assembly took their seats in Fort James on that day as a law-making body. The journal of that assembly is missing, and the names of all the delegates are not known. Matthias Nichols, of the city of New York, was chosen Speaker, and John Spragg, the Secretary of the Province, was made clerk. The assembly were in session three weeks, passed fourteen acts, all of which received the assent of the governor and council.

The first of these laws was "the charter of liberties and privileges granted by his Royal Highness to the inhabitants of New York and its dependencies." It provided, among other things, that the supreme legislative authority should forever be and reside in "a Governor, Council and the People; met in a general assembly;" that every "freeholder in the Province, and foreman in any corporation, shall have his free choice and vote in the election of Representatives;" and that "the majority of voices shall

carry it." "Entire freedom of Conscience and religion was guaranteed to all peaceable persons, professing 'faith in God by Jesus Christ.'"

It also declared "that no aid, tax, tallage, assessment, custom, loan, benevolence, or imposition whatsoever, shall be laid, assessed, imposed, or levied on any of his Majesty's subjects, within this Province, or their estates, upon any manner of color or pretence, but by the act and consent of the Governor, Council, and Representatives of the People, in General Assembly met and assembled."

A revenue act was also passed, as an appendage to the preceding, granting to the Duke of York and his heirs certain specified duties on importations.

Thus were the representatives of the province of New York, with the Dutch in a majority, the first legislative assembly in this country to assert the great principle, which had been maintained in Holland since the fifteenth century, of "Taxation only by consent."

Among the laws enacted by that assembly was also one "to divide the Province and dependencies into shires and counties." By that act twelve counties were established. Ulster County was thereby created, being thus named after the duke's Irish earldom. Its limits included "the towns of Kingston, Hurley, Marbletown, Fox hall, and the New Paltz, and all the village neighborhoods and Christian habitations on the west side of the Hudson River, from the Murderer's Creek to the Sawyer's Creek;" thus extending from the creek entering the river just above Cornwall, at the Highlands, on the south, to the Sawyer's Creek on the north, and from the Hudson River on the east to the bounds of the province on the west. It thus included the present town of Newburg and all of Orange County lying west of it.

It was also enacted that every year a high sheriff should be commissioned for each county.

At that session they also passed an act to "Settle courts of Justice," and thereby established four distinct tribunals: (1) Town courts, for the trial of small causes, to be held each month. (2) County courts, or courts of sessions, to be held quarterly or half yearly. A general court of Oyer and Terminer, with original and appellate jurisdiction, to sit twice a year in each county, and a court of chancery, to be the supreme court of the province, composed of the governor and council, with power in the governor to depute a chancellor in his stead; reserving the right of appeal to the king. Under that law Matthias Nichols and John Palmer were appointed the judges of the New York Oyer and Terminer.

Another act was passed, declaring that all the actual inhabitants of the province, except bondmen, of what foreign nation

soever, who professed Christianity and had taken or should take the oath of allegiance, were naturalized ; and that all Christian foreigners who should afterward come and settle themselves in the province might be naturalized upon swearing allegiance to the king and fidelity to the duke.

Shortly after the adjournment of the assembly, under one of the statutes above referred to William Ashford was appointed and commissioned as sheriff of the county of Ulster, and Thomas Garton and Henry Beeckman as justices of the peace for said county, by the governor and council. At the court of sessions, held on the 25th day of January, 1684, those officers attended and presented their commissions. It was then resolved that the magistrates of each town should take turns in attending the courts. The general court then appointed magistrates for the several towns, including Michael Garton, Jan Williamson, and Jan Tocken for Kingston. It also appointed Jacob Rutgers as constable for Kingston.

These appointments of local officers by the general court was distasteful to the burghers of Kingston, and they determined to remonstrate against it. A meeting was called for that purpose, and a petition was prepared and numerously signed, of which the following is a copy :

“To the Right Hon Col Thomas Dongan Governor General of all his Royal Highness' Territory in America.

“The humble petition of the Inhabitants of Esopus in the county of Ulster Sheweth

“That whereas the Inhabitants of Esopus in the county of Ulster, for their own part having bought and paid for, of the Indians, their land in full satisfaction of the same, and peaceably possessed for several years ; and then it pleased God there was a combination among the Indians, and they made wars, and it fell upon these our parts, killed several of the Inhabitants, took several Prisoners, and burned our dwellings, to the great loss of goods and blood and spoil of our place, with a siege during three weeks, and so through God's assistance we beat them off, and then were forced to plough, sow, mow and all other work, with a great guard at our own charge, not receiving Moneys or relief of any other part of the Country, to the reparing of our losses, and since the settlement of this Government by His Royal Highness, it pleased Governor Nichols and Governor Lovelace to settle several of the Soldiers amongst us, in the town of Marble, to be governed among the rest by the laws of His Royal Highness, and we have always yielded our allegiance and obedience to the same rendering and paying Such duties as were required of us both to the Governor or his Royal Highness customs.

“Therefore your honors Petitioners humbly pray, that we may have the liberty, by charter to this county, to choose our own officers to every town court by the Major voice of the Freeholders, and that they may decide all actions of debt to the value of five pounds or more, it being very prejudicial to this county in regard to a lesser sum to be decided, because the trade of this county is most among poor farmers, and charges of higher courts will prove very Burdensome, for such small sums. And that we may make such orders among ourselves, in every town court in this county, for the preservation of the corn fields, meadow ground, goods and chattels according as the convenience of the year and place do require, and that all such fines, levied by the town courts, may be for the use of the same, not exceeding twenty shillings, according to the laws of His Royal Highness. And further, that we may have liberty to transport all grain, flour, beef, pork and all such produce, as are now or hereafter may be within this county, rendering and paying all such dues and customs as are required by the laws of the government. And Honors Petitioners as in duty bound shall ever pray etc.

“Hend. Aertson. Yomas. Abel. A. Westvael. Jan Lousell. Cornelis Tinhout. I. S. Jan Schut. Abraham Lameter. Roelof Kierstade—Jochem Engelbert—Severyen Tenhout—Vannamen—Henderick Clasen—Jan Pieterse—Henderick Kip. Cornelis Slecht—Bruyn Henderickse—Peter Cornelese—Willem Pietersen Beck—Jan Willemsen—Gysbert van Gardon—Bruyn Hagen—Arent Tuenessen. Benjamin Provoost—Henderick Van Wy. Wm. D la Montagne Henderyck Ten Eyck—W Demire—Symon Cool—Ffrans Goedris—Harmonn Hyndryx—Johannis Westvael—Barentse Kool—Jacobus Elman Dorff—Jacob Aertson—Jacob Kool—Jan Henderickse—Henderick Albertse—Tjereck Claesen de Witt. Wessel Ten Broeck—Claes Tunise—Jacob Rutgers—Jan Eltinge—Johannis de Hooges—Jan Flake—Lodewyake Hoorenbeck—Cornelis Hoogenboom—Jan Alert Tenrees—Matys Matysen—Matys Ten Eyck—N Anthony—Mosys De Pue—Pieter Pieteerson—John Hammell—Hyman Albertsen Roose—Willem Vraedenburgh—Arie Albertsen Roose. Mattys Slecht—Cornelis Coole—Egbert Hendrickse—Mattys Blanchan—Matheu Blanchan—Claes Juriaen—Jurien Westfall—Jan Mattysen—Gysbert Krom.”

The petition, on presentation, was accorded a reception very different from that which was anticipated. The governor and council evidently had not been indoctrinated in the right of petition. The former probably imagined himself at the head of his regiment, dealing with protesting soldiers, for both he and the council took great umbrage at the presentation of the paper. Upon their order the petitioners were all arrested and indicted for a riot,

under an English law, at the succeeding June term of the court. Upon being arraigned, they pleaded guilty of signing and presenting the petition. They were then respectively fined and gave bail. At the following September term, upon appearing in court, and acknowledging that they had been ill-advised, they were released and their fines remitted.

The preceding is an exhibit of the early experience of our ancestors, in their exercise of the sacred right of petition, indicted as rioters and disturbers of the peace. In their country's infancy they had to succumb; but, fortunately for their descendants, the wheels of progress were in motion, and never halted. In less than a century subsequent the maintenance of that right robbed the British crown of its brightest jewel.

On the 26th of August, 1684, the Duke of York wrote to Governor Dongan a letter, in which he stated: "My Commissioners are making what dispatch they can with those bills, that you have sent hither, and particularly with that which contains the franchises and privileges of the Colony of New York, wherein if any alterations are made, (either in the form or matter of it) they will be such as shall be equally or more 'advantageous to the People there, and better adjusted to the laws of England.'"

This was written when he was simply proprietor, as Duke of York; we will hereafter see what was his change of front after he had assumed the robes of royalty.

On the 21st of October, 1684, the New York Assembly convened pursuant to adjournment, and thirty-one laws were passed and assented to by the governor and council. Among them was one to confirm previous judgments, and abolish the general court of assizes. That court being thus abolished, was replaced by the court of Oyer and Terminer, of which Nichols and Palmer had been appointed judges. A court of chancery, with other courts, was then arranged and organized.

Charles the Second, King of England, died in the early part of February, 1685. Immediately thereafter the Duke of York ascended the British throne as his successor, under the title of James the Second. His ownership of the province, under a royal grant to him as the Duke of York, was at once lost, and merged in the superior and higher title of the crown; and thenceforward, therefore, New York ceased to be the patent or property of an individual, and became a province of the kingdom.

CHAPTER VI.

FROM THE ACCESSION OF JAMES THE SECOND, FEBRUARY, 1685, TO
THE ARRIVAL OF GOVERNOR FLETCHER, 1691.

AT the time the Duke of York ascended the British throne, on the 9th day of February, 1685, and New York thereby became a province of the kingdom, the charter of liberties and privileges for the province of New York, as enacted by the provincial law-making power under the duke, had not been finally acted on. The king very soon thereafter, however, and on the 3d of March, refused to confirm it. In the communication refusing such confirmation, he and his council, "the committee of trade and plantations," directed Colonel Dongan, as Governor of New York, "to pursue such powers and instructions as he shall receive under his majesty's signet and sign manual until further orders."

This refusal to *confirm* was not technically a *repeal* of the law, and it was therefore still considered in force, subject to further action.

On the 5th of March, 1685, special royal instructions were sent to Governor Dongan to continue in office all men being in the office of government at the decease of the late king, until further orders, and directing him to make proclamation accordingly.

The then existing Colonial Assembly was considered as dissolved by the decease of the king and consequent change of relations, and therefore Dongan, by proclamation, declared such dissolution, and issued writs for the election of new representatives, to meet at New York on the 20th of October, 1685. The new assembly met on the day appointed, but adjourned early in November, to meet again on the 25th of September, 1686.

James, as king, was not disposed to continue or grant to New York rights and privileges which were wrung from him as Duke of York. He supposed that matters which he could not enforce as individual owner he could, with the power of the throne and kingdom to sustain him. And consequently, on the 29th day of May, 1686, the king issued instructions to Governor Dongan, the twelfth paragraph in which reads as follows:

"12. Whereas we have been presented with a bill or charter, passed in the late assembly of New York, containing several fran-

chises, privileges and immunities, mentioned to be granted to the inhabitants of our said Province, you are to declare our will and pleasure, that the said bill or Charter of franchises be forthwith repealed and disallowed, as the same is hereby repealed determined and made void. But you are nevertheless with our said Council to continue the duties and impositions thereinmentioned to be raised, until you shall, with the consent of the council, settle such taxes and impositions as shall be sufficient for the support of the Government of New York."

A few days thereafter, and on the 10th of June, 1686, the king executed a new commission to Governor Dongan, and thereby vested in him and the council appointed by the king absolute power of government, including "full power and authority, with the advice and consent of our said Council, or the major part of them, to make, constitute and ordain laws, statutes and ordinances for the public welfare and good government of our said Province, and of the People and inhabitants thereof, and such others as shall resort thereto, and for the benefit of us, our heirs and successors."

All such statutes, ordinances, etc., were to be transmitted within three months to the king, for his allowance and approbation. The king, also by such commission, vested in the governor full power and authority, with the advice and consent of the council, or a major part of them, "to impose, assess, raise and levy such rates and taxes as he shall find necessary for the support of our Government of New York;" and he further directed that the style of all the laws should be "by the Governor and Council," and not otherwise. The governor was further authorized and empowered thereby "to constitute and appoint Judges and Justices of the Peace, and other necessary officers and ministers in our said Province of New York, for the better administration of justice and putting the laws in execution."

Thus were the colonists again, after the enjoyment of a right for a brief period, deprived of all right of representation, and to be controlled and taxed at the beck of the creatures of a tyrant.

In the instructions accompanying the commission, the king particularly directed that "no Schoolmaster be permitted to come from England and teach School, without a license from the Lord Arch Bishop of Canterbury. And that no other person, now there or that shall come from other parts, be admitted to keep school without your license first had." The instructions also contained directions to the governor "to provide by all necessary orders, that no person keep any press for printing, nor that any book, pamphlett or other matter, whatsoever be printed, without your special leave and license first obtained."

Thus did James, in exhibiting his tyrannical disposition, evince the same dread that all tyrants feel for the independent school-master and a free and independent press.

The citizens, of course, were indignant at this action of the king and his ministry, but they were powerless in the premises, and forced to submit. Some of their number, as we have seen, had been made to feel that the word "riot," as construed in the province by the appointees of royalty, was a very comprehensive word, and might carry a blow when least expected. So the feeling was apparently smothered for the time; it was not crushed—it simply abode a favorable time for action.

On the 19th day of May, 1687, Governor Dongan issued a patent or grant of a large territory of land to trustees for the benefit of the freeholders and inhabitants of the town of Kingston. The grant afterward received the formal approval of the council at a meeting held at Fort James on Thursday, the 17th day of May, 1688, and it was recorded the same day in the Colonial Book of Patents. A complete copy will be found in the Appendix.

The patent conveyed to the trustees named therein and their successors, as a body corporate, all that tract of land in the county of Ulster "to begin at the bounds of the County of Albany, thence to run Southward along Hudson's river to Little Esopus Creek, thence on a west line to the bounds of Hurley, from thence along the bounds of Hurley to a certain creek called Motthar Creek, thence Northerly to another certain creek, Preemaker Creek, thence upon a North line three English miles into the woods; thence the same course as the mountains range to the bounds of Albany aforesaid, and from thence along the said Bounds to Hudson River;" with a full habendum clause, reserving a yearly rent of one hundred and four bushels of sweet merchantable wheat, to be paid at the city of New York on the 25th day of March in each year. The grant contained a proviso that nothing therein contained was to affect "the right, title, interest, property, claim and demand of any particular person or persons holding . . . by virtue of any former grant or patent whatever."

He, by the said patent, then "declares, determines and grants that the said Inhabitants and Freeholders, the freemen of Kingston aforesaid, commonly called by the name of the Freeholders and Inhabitants of the town of Kingston, or by whatever name or names they are called or named, and their successors forever hence forward are, and shall be one body Corporate and Politick in deed and name, and by name of the *Trustees of the Freeholders and Commonality of the town of Kingston.*" He ordained and created them a body corporate and politic, with succession forever, with full power to hold and convey real estate and personal property of

every kind, and to sue and be sued in the corporate name. The grant made the parties named therein the first trustees, and then provided for an annual election, on the first Tuesday in March each year, of twelve trustees, to hold for one year. The grant further provided that the trustees or their successors might, at any time, upon the issue of a summons obtained from a justice of the peace, on the application of three freeholders of the town, meet at the town house or some other public place, as they should from time to time appoint, "to make such acts and orders in writing for the more orderly doing of the premises, as the said Trustees and their successors from time to time shall and may think convenient, not repugnant to the laws of England and of the Province."

The grant also provided that at the annual election of trustees there should also be chosen three constables and three assessors for the town of Kingston. It also directed that, at the time and place of such election, out of the twelve trustees elected, five of their number were to be authorized, commissioned, and empowered "to hold pleas of debt and trespass, with the same power and authority that Commissioners of the respective towns hold and enjoy the same under the statute. Three to be a quorum to hold the court."

The trustees named in the patent at once organized thereunder and designated the five magistrates; but the entire record of their proceedings, both as trustees and as a local court, from their creation until the month of October, 1713, has been lost, and is nowhere to be found. Consequently their proceedings up to that time, except so far as they are developed in recorded deeds, have been swept into oblivion, and must be passed over by the historian in silence.

The French in Canada, together with the Indians under their influence, gave great annoyance to the frontier settlements; and Albany and Schenectady were particularly exposed to their attacks, and were kept in an almost constant state of alarm. The military of Esopus were under frequent orders for their assistance.

In August, 1687, Governor Dongan, upon his return from Albany, after one of his visits there in reference to the French troubles, convened his council in regard to some expenses connected therewith. To meet such expenses, the governor and council made a levy of a penny on a pound upon the freeholders and inhabitants of Kings, Queens, Dukes, Duchess, Richmond, Orange, Westchester, and Suffolk counties; but only a half penny on the pound upon New York, Albany, and Ulster counties, because they said "these three places are the only support of the Government."

In his report made in 1686 to the Privy Council upon the state of the provinces, the governor stated that the principal towns within the government were New York, Albany, and Kingston at

Esopus; that all the rest were country villages; that the buildings at New York and Albany were generally of stone and brick. In the country the houses were mostly new, having two or three rooms on a floor. He further reported that the Dutch were "great improvers of land."

King James, in the year 1688, united all the North American British possessions, except Pennsylvania, under one viceregal government, and commissioned Edmund Andros as his "Governor-General over the whole territory and dominion of New England in America." Governor Dongan being thus superseded, the king tendered him the command of a regiment, with the rank of major-general of artillery, in the British Army.

The commission issued to Governor Andros was specific, and of very much the same character as the one given to Dongan. It vested the law-making power in the governor and council, subject to the royal approval. Captain Francis Nicholson, then in command of a company of regular soldiers at Boston, was commissioned lieutenant-governor, with directions to observe the orders of his chief. The commission reached Boston in July, 1688, when Andros was proclaimed governor, and Francis Nicholson installed as lieutenant-governor.

On the 11th of August the new governor arrived at New York, and was appropriately received and escorted by a regiment of foot and a troop of horse. The king's commission was then read at Fort James, and published at the City Hall. A proclamation was at once issued continuing all persons not removed by order of the king in their respective offices, and directing the taxes to be continued.

The union was very distasteful to the Dutchmen of New York, but of course submission was the only alternative.

On the 30th of August the governor, accompanied by some of his counsellors, left New York by sloop for Albany, where he was met by the lieutenant-governor, and had a friendly conference with the Indians. On his way to New York from Albany he stopped at Kingston. There have no records been found of what transpired at that visit.

On his return to New York, the despatches awaiting him there in reference to Indian troubles in Maine compelled him to leave at once for Boston. He did so, and left the lieutenant-governor at the head of the colony of New York.

The unsettled state of affairs in England and the rebellion against King James encouraged the opponents and enemies of Governor Andros, in New England, to rebel against his rule. He was forcibly seized and imprisoned under fabricated charges, and thus deprived of the power of government.

On the 22d of December, 1688, James abdicated the English throne, and was succeeded by William and Mary. The news of the revolution was received in America in the spring of 1689. That was the signal for trouble in the colonial government. Governor Andros was in prison at Boston, and the citizens were divided on the question of the right of Lieutenant-Governor Nicholson to rule. A part claimed that Nicholson and the council were legally invested with governmental powers; while, on the other hand, a very large proportion, if not, in fact, a majority of the citizens, insisted that the abdication of the late king overthrew the whole machinery of the government, and Nicholson and his council were stripped of all authority. The controversy was very bitter, when finally, on the 2d of June, 1689, Nicholson delivered up the keys and left New York. Jacob Leisler, a German by birth, commanding a company of soldiers, took possession of the fort. Thus New York was now left without any legitimate government.

Leisler, being in possession of the fort with his soldiers, issued a manifesto declaring that the fort was held by him in the interest of William and Mary, and would be so held until the arrival of a person properly constituted by the authorities of Great Britain to administer the government. He then sent invitations to the several counties and towns in the province of New York to choose and send delegates to meet in convention at Fort James, on the 25th of June, 1689, to take into consideration the present condition of affairs. Delegates were chosen in some parts of the province, but Ulster, Albany, and Suffolk counties, with most of the towns in Queens, refused to respond.

The burghers of Kingston had contemplated with great pleasure and satisfaction the marriage of Prince William of Orange with the Princess Mary, and their accession to the throne; but they were unwilling to recognize any self-constituted authority. They concluded to stand aloof, maintain the local government under their patent, and await the establishment of a legal government for the province.

On the 26th of June, 1689, twelve delegates met in convention at Fort James, in answer to Captain Leisler's request. After the first meeting two of the delegates withdrew. The remaining ten formed themselves into a Committee of Safety, and the next day signed a commission appointing Leisler "captain of the fort at New York, until orders shall be received from their Majesties." Under that authority Leisler at once assumed the powers of government. Thus matters continued during the summer and fall.

Early in the month of December, 1689, a packet arrived from England, bringing two despatches—one from the king and the other from the Privy Council. They were respectively addressed as fol-

lows: "Francis Nicholson, Esq., our Lieutenant Governor, and Commander in Chief of our Province of New York in America, and in his absence to such as for the time being take care for preserving the peace and administering the laws in our said Province of New York in America." Nicholson having left the province and abandoned the government, Leisler considered himself as included in the second clause of the address, and opened the despatches.

The letter of the Privy Council directed Nicholson, as lieutenant-governor, "with the assistance of the principal Freeholders and Inhabitants of their Majesties Province in New York, to proclaim William and Mary," according to a prescribed form enclosed. The king in his letter authorized Nicholson to take on himself the government of the province, calling to his assistance such of "the principal freeholders and Inhabitants as he should see fit," and requiring him also, until further orders, "to do and perform all things which to the place and office of our Lieutenant Governor and Commander in Chief of the Province of New York doth or may appertain." Leisler, considering that he came within the contingent description in the address, and was thereby clothed with the authority conferred by the letter of the king, at once assumed the title as well as the authority of lieutenant-governor.

In February, 1690, he issued writs to the several precincts in the province for the election of representatives to meet in New York, "to consult, debate and conclude all such matters and things as might be thought necessary for the supply of this Government in this present conjunction."

Many of the counties failing to respond, he issued a second writ of the same purport as the first, dated the 8th day of April, 1690. There had been no election under the first call in Ulster County. After the receipt of the second writ, Roeloff Swartwout, the sheriff (schout), on the 11th of April, 1690, wrote a letter to Jacob Milborne, the private secretary and son-in-law of Leisler, in which, after advising him of shipments of grain to Albany, he added: "Touching the election of two delegates from our County, it shall be done on the 15 Instant. It was put off until your Honours arrival here; I feared a contest. I admit it ought to be a free election for all classes, but I would be loth to allow those to vote or to be voted for who have refused to this day to take their oath, lest so much leaven might again taint that which is sweet, or our head men, which probably might happen."

Ulster was represented in the assembly, together with New York, Albany, Queens, and Westchester. The other counties did not elect. The names of the Ulster delegates are not known. There is no record to be found of their election.

The assembly thus constituted passed an act "to raise, throughout the whole government, a tax of threepence upon every pound of real and personal property, to be paid the first of June."

New York City having for some time, under some former administrations, enjoyed a bolting monopoly, to the prejudice of both Albany and Kingston, the members representing those localities succeeded in procuring the passage of a law by that assembly enacting "that all towns should have equal freedom to bould and bake and to transport where they please, directly to what place or country they think fit, anything their places afford, and that one place should not have any more privileges than another."

The assembly was then very suddenly prorogued until September.

The French in 1690 organized three expeditions against the English colonies: one at Montreal, to invade New York; another at Three Rivers, to attack New England, between Albany and Boston; and the other at Quebec, to ravage Maine.

The expedition against New York, consisting of French and Indians, set out from Montreal early in February, and after a severe tramp through the snow in intensely cold weather, it reached Schenectady. The place was found entirely unprepared for an attack, the gates all open and no guard on duty. The place was burned, and the soldiers and nearly all the inhabitants were butchered. The first notice the inhabitants had of any danger was the dreadful warwhoop and the bursting in of their doors.

As soon as the news reached Albany, couriers were despatched in different directions to Kingston and other places for aid to protect Albany. But the Indians came no farther than Schenectady. After enacting that scene of blood they started for their homes, carrying twenty-five captives with them.

This raid taught the New York colony the necessity of union and the healing of internal dissensions as a protection against the common foe, even if it necessitated submission to the rule of one whom they considered an usurper.

After the massacre at Schenectady an attempt was made to organize a joint expedition of the several provinces against Quebec. Arrangements were made to have Massachusetts and New York despatch some ships and soldiers by water, and New York and Connecticut send soldiers, with Indians, by land and Lake Champlain, to make a combined attack upon Quebec. Contrary to the wishes of Leisler, the command of the land forces was entrusted to General Winthrop, of Connecticut. The expedition proved a complete failure, apparently through the inefficiency of the commanding officer. He returned without proceeding any farther than Wood Creek, a tributary of Lake Champlain at the southern end,

and left the forces sent by sea wholly unsupported, to combat the entire strength of the Canadas.

Ulster County had furnished her quota of troops, and had also been called upon and forwarded troops for the defence of Albany ; and on the 11th of April, 1690, Kingston forwarded nine hundred and thirty-six schepels of maize to Albany for the support of the garrison.

The failure of the expedition against Canada, although in nowise attributable to any fault of Leisler, gave his enemies in the province a great opportunity to triumph over him. Had the expedition been successful, he would have been the exalted champion of the hour. With its failure, as there are strong grounds for belief, through the connivance of his enemies, overpowering weapons were forged for his destruction.

On the 16th of November, 1690, an order was issued by the governor and council directed to "Major Thomas Chambers and the rest of the military officers under his direction in the County of Ulster," requiring them forthwith "to select, out of the county of Ulster, one hundred or eighty at least good able men, complete in arms, which shall be transported to Albany for his Majesty's service, at or upon the first day of January next. And that, at all times before, upon notice of the Commissaries at Albany of the enemy's approaching, you send the said number of men or as many as can be obtained without delay."

There was also accompanying the same an order directed to Captain Barent Lewis, Mr. Schermerhorn, and their assistants to press twenty men with arms, and three hundred schepels peas, and two hundred and fifty schepels Indian corn, within the county of Ulster, for the expedition to Albany.

Although their Majesties, William and Mary, had executed a commission to Henry Sloughter as Governor of New York as early as the 4th day of January, 1689, still, two years subsequent thereto he had not arrived in New York, nor had Leisler, the acting governor, received any notice of his appointment.

In January, 1691, Captain Ingoldsby, with a company of soldiers under his command, arrived in the ship Beaver from England, and announced the appointment of General Sloughter as governor ; also that he was on his way to assume the government. Captain Ingoldsby at once demanded possession of the fort from Governor Leisler. The acting governor refused to surrender possession on the ground that he did not produce any order from the king or the governor. Leisler properly demanded better authority or credentials than his mere word. Ingoldsby, imperious by nature, taught to look upon the colonists as inferiors, and accustomed as a military officer to order and be obeyed, was incensed at

such refusal. The enemies of Leisler also were not idle, and they used every effort in their power to fan and stir the glowing embers. The justices of Long Island were called upon to aid the captain in storming and taking the fort.

Leisler, however, retained possession until the arrival of Governor Sloughter on the 19th of March. Unfortunately for Leisler, his opponents got the governor's ear, and things were so managed that Leisler and Milborne, his son-in-law, were arrested and thrown into prison, shortly afterward were brought before a court illegally organized for the purpose, and whose authority they denied by refusing to answer or plead or interpose a defence. They were convicted of high treason without trial.

Governor Sloughter hesitated about signing the death-warrants, wishing to refer the matter to the home government; but it is said his signatures were procured at the close of a feast, when the governor was overpowered with wine; and the men were executed before he recovered from his debauch sufficiently to realize what he had done. Whether the men were technically guilty of treason or not, their execution was politically a great mistake for the quiet of the province. Eventually it divided the colony into two bitterly hostile parties. The conviction was afterward reversed by the House of Lords, and the property restored to the heirs; but the execution could not be recalled; the men had been sent to the bourn whence there is no return.

The commission and instructions issued by their Majesties, William and Mary, to Governor Sloughter, were dated in November, 1689. The commission, besides delegating to him the usual powers of governor, and designating the particular men to compose his council, declared, "And we do hereby give and grant unto you full power and authority, with the advice and consent of our said council, from time to time as needs shall require, to summon and call general assemblies of the inhabitants, being Freeholders within your Government, according to the usage of our plantations in America. . . .

"And our will and pleasure is, that the persons thereupon duly elected, by the major part of the freeholders of the respective counties and places, and so returned, and having, before their sittings, taken the oath appointed by act of Parliament, . . . shall be called and held to be the general assembly of that one Province, and the Territories thereunto belonging.

"And that you, the said Henry Sloughter, by and with the consent of our said Council and Assembly, or the major part of them respectively, have full power and authority to make, constitute and ordain laws, statutes and ordinances, for the public peace, welfare and good government of our said Province, and of the

People and inhabitants thereof, and such others as shall resort thereto, and for the benefit of us our heirs and successors. . . . Which said laws, statutes and ordinances are to be (as near as may be) agreeable unto the Laws and Statutes of this our Kingdom of England."

The statutes were required to be transmitted within three months after their passage to England, subject to disallowance by their Majesties. The commission clothed the governor with the veto power, and also the right to adjourn, prorogue, and dissolve the assemblies.

It will here be noticed that there was again—and this time by the British crown—conferred upon the colony the important privilege of a voice in legislation. The hopes in that behalf, therefore, which the Dutch colonists had entertained in reference to King William, were not disappointed. Neither was this intended to be an idle grant, for the governor-general, without delay, issued the necessary writs for the election in the several counties of delegates to an assembly to meet in the city of New York on the 9th of April, 1691.

The assembly met on the appointed day. The delegates from Ulster and Dutchess were Henry Beekman and Thomas Garton. This was the first assembly held under the direct authority of the British crown, and the first whose acts are recognized and published in the books of colonial statutes.

After organization, having elected James Graham as Speaker, the assembly, in connection with the governor and council, adopted and forwarded to England a loyal address to their Majesties, the king and queen.

One of the earliest laws passed by them was declaratory of the rights and privileges of the people. It declared the legislative power to be vested in the governor, council, and general assembly. The governor and council to be appointed by the crown. Delegates to the general assembly to be elected by the freeholders and freemen in any corporation. To constitute a freeholder, it was necessary to have forty shillings per annum in freehold. The act apportioned twenty-one representatives among the counties, allotting two to Ulster.

As to the manner of enacting laws, it declared that "all bills, agreed upon by a major part of the Representatives, should be presented to the Governor and Council for approval, and when approved by them, should be accounted the law of the Province until disallowed by the Crown."

The act, in its further provisions, was very full and explicit in setting forth the rights of the people, the right of trial by jury, and the rights of property; and that no tax was to be levied ex-

cept by authority of the governor and council and the assembly ; and it also guaranteed full protection and freedom in religion.

A law was also passed establishing courts of justice in the several cities, counties, and towns in the province, to continue in force for two years. Under this statute a supreme court was created for the province, consisting of a chief-justice and four assistant justices, together with an attorney-general.

County officers, such as sheriffs, county clerks, judges of the county courts, and justices of the peace, were to be appointed by the governor-general and council. Supervisors, assessors, and other town officers were to be annually elected by the freeholders of the respective towns.

Among the early laws passed was one confirming all patents, charters, and grants theretofore issued, notwithstanding any existing informality. This law was passed to terminate various controversies and disputes which had arisen in regard to some public townships and private rights.

At the second session of the assembly, held in September, 1691, an act was passed dividing the province of New York into shires and counties. In that act Ulster County is designated as follows : "The County of Ulster to contain the towns of Kingston, Hurley and Marbletown, Fox Hall, and the New Paltz, and all villages, neighborhoods and Christian habitations on the West side of Hudson's river, from the Murderers Creek, near the Highlands, to the Sawyers Creek."

The county of Albany was described as extending to the Sawyer's Creek on the south, and the county of Orange as extending to the Murderer's Creek toward the north.

Ulster County, as thus constituted, included a very large territory. Besides its present contents, it covered Delaware and Sullivan counties, and included Newburgh and all the towns in the present county of Orange lying west of Newburgh.

At the first session of the second assembly, and on the 11th of November, 1692, an act was passed "for settling of Fairs and markets in each respective city and County throughout the Province." In that act it was provided that there should be held and kept a public and open market on every Saturday in the week at Kingston, and also "two fairs yearly for the county of Ulster, the first to be kept at Kingston on the third Thursday in March and to end on the Saturday then next following, being three days inclusive and no longer. The second fair to begin the second Thursday in October and to end the Saturday following."

The statute further declared that "all which Fairs, at the times and places aforesaid, in each County respectively, shall be holden together with a court of Pypowder, and with all liberties

and free customs to such fairs appertaining, or which ought or may appertain, according to the usage and customs of fairs holden in their majesties realms of England." The governor or ruler of the fair, with power to hold a court of Pypowder, to be commissioned and appointed by the governor of the province.

These fairs and markets were institutions common in England, and under the English Government no person could claim a fair or market except by grant from the king or by prescription, which necessarily presumed a grant. These institutions were a great convenience in a sparsely settled country; they afforded the producer a certain time and place for the disposal of his surplus productions, and the consumer a designated time and place for the supply of his wants.

It was incumbent upon the owner and governor of fairs and markets to take care that everything was sold according to just weight and measure. For that purpose it was the duty of the clerk of the fair or market to test and mark the weights.

The owner of the fair or market was entitled to charge as "toll" a reasonable sum upon things tollable, or for stallage, pickage, or the like.

Fairs and markets could only be held upon the days and for the times specially designated.

A fair is described by the old English writers as a "solemn or greater sort of market." They were county institutions, and only permitted to be held annually or biennially, and were intended specially for the sale and exchange of real estate, horses, cattle, and produce in large quantities; not excluding, however, articles of any character or quantity.

The Pypowder court referred to in the law was a court in constant session at fairs, held by the person appointed as governor of the fair, to administer justice to buyers and sellers, and for the redress of disorders committed in them. Its jurisdiction extended only to injuries done in that particular fair, and not to any previous one. As to such injuries, its jurisdiction was exclusive. In reference to transactions and contracts at any such fair, the motto was, "If you have any fault to find, speak *now* or *never*." It is said that such court was given its peculiar name because "justice was done in it as speedily as dust could fall from the foot."

Another statute passed at one of the early sessions was entitled "an act against profanation of the Lords day, called Sunday." It prohibited servile labor, fishing, hunting, travelling, and horse racing on the Lord's day, Sunday, under penalty of six shillings current money, or, in default of payment, to sit publicly in the stocks for three hours; but if an Indian or negro slave, then the

punishment to be thirteen lashes on the bare back. Travel to attend church was limited to ten miles.

The several laws passed at the several early sessions of the Legislature, bearing more immediately upon the administration of local matters, have been thus collated here, so as to place them in a connected series, and give a better understanding of the general system of government, although passed at different sessions and under different executives.

Under the administration of Governor Sloughter, the colony was much annoyed by the French and Indian inroads from Canada. In June, 1691, the governor, in order to prevent an expected descent, and to watch the enemy's motions, fitted out an expedition, consisting of Christians and Indians, to march to Canada and improve all opportunities for surprising, annoying, and destroying the Canadians and their Indian allies. The expedition set out on the 21st of June. The expedition was not as formidable in numbers as was desired or expected. Some friendly Indians who had agreed to join them at certain places on the way failed to make their appearance, and besides, on their march, their numbers were greatly diminished by frequent desertions. On their arrival at Ticonderoga, on the 17th of July, the invading force numbered only two hundred and sixty Christians and Indians. Notwithstanding the manifest insufficiency of his force, Major Schuyler continued his advance toward Laprairie. The French, being advised of his approach, met him on the route with a force considerably superior in numbers. After a desperate fight the French were defeated, but Schuyler learned that a force of French and Indians had been thrown in his rear to intercept his return. He therefore concluded to return and fight his way back to his canoes on the lake. On his homeward march he met the enemy prepared to dispute his progress. The little band fought through the enemy's ranks; then faced about and forced the French to retreat. It then continued its homeward march, and arrived without further adventure. Major Schuyler claimed that in that expedition, with the loss of very few men, they had killed about two hundred French and Indians.

While this expedition was out, and on the 2d of July, 1691, Governor Sloughter died very suddenly. His administration was thus very short, but at the same time troublesome. He was a man of very limited talents, and deficient in executive ability.

Upon his decease, under the colonial laws the right of government devolved upon the council, of which Joseph Dudley was the president. Notwithstanding this, it was committed to Richard Ingoldsby, the captain of an independent company, who assumed

the administration of the government on the 26th of July, 1691.

In September, 1691, a session of the Assembly was held, at which the law already referred to, dividing the province into counties, was passed. At the same session the Legislature appropriated fifteen hundred pounds for the payment of one hundred and fifty additional men, to be employed on the frontiers of Albany County.

CHAPTER VII.

FROM 1692, ARRIVAL OF GOVERNOR FLETCHER, TO THE ARRIVAL OF WILLIAM BURNET AS GOVERNOR IN 1720.

IN March, 1692, Colonel Benjamin Fletcher was commissioned as Governor of New York, and received instructions as such in the usual form. He arrived in New York on the 29th of August, and assumed the administration of the government. He found the province in a deplorable condition. Thrown entirely upon their own resources by the mother country, cursed by the ministry with incompetent and dishonest executives, kept in a constant state of alarm by not only threatened but actual invasions and attacks upon their frontier settlements by the Canadian-French and Indians, the colonists were reduced and worn out physically and financially. They were in need of talent and good statesmanship, with honesty, in the gubernatorial office, not incumbents sent to mend their broken fortunes or make new ones by robbing the people and the public treasury.

The Assembly convened on the 17th of August. In his address to the Assembly Governor Fletcher notified them that to defray the debts of the government already contracted, and for the necessary charges for the defence of Albany for the then ensuing winter, seventy-five hundred pounds would be required to be raised forthwith, and complained of non-payment by the people of taxes already assessed.

The Assembly, before their adjournment, made provision for the raising of two hundred and twenty men to strengthen the garrisons at the frontier posts, and also for eighty men from the county of Ulster to go and continue there during the time of the greatest danger.

About the 6th of February, 1693, a body of French and Indians surprised a settlement of friendly Mohawk Indians, and took about two hundred of them prisoners. As soon as news of this raid reached Albany, Colonel Schuyler at once, with two hundred volunteers, set out in pursuit of the enemy. He was soon re-enforced by three hundred Indians, and had several skirmishes with the retreating enemy. They succeeded, however, in making good their escape by crossing the upper branch of the Hudson upon a cake

of ice, which, as soon as they had crossed, loosened from its moorings and floated away.

On the 13th of September, 1692, writs for a new election were issued, returnable the 24th of October. Thomas Garton and Jacob Rutsen were returned as delegates from the county of Ulster.

Several bills were passed at this session, among others the one establishing fairs and markets, as hereinbefore set forth. They adjourned on the 14th of November to the 20th of March, 1693.

The Assembly convened again in March, pursuant to adjournment. The governor, in his address at this as well as the previous meeting of the Assembly, urged the support of an established ministry. The house, from their attachment to the Dutch language and the model of the Church of Holland, secured by one of the articles of surrender, did not comply with his recommendation.

At the close of the session he severely rebuked the Assembly for not acting upon his recommendation, and on the 27th day of July, 1693, dissolved it and ordered a new election, the writs to be returnable the 7th of September, 1693. Thomas Garton and Jacob Rutsen were re-elected as delegates from Ulster.

The new Assembly convened in September, and the governor, in his opening address, urged upon it the establishment of a ministry throughout the colony, the granting of a revenue to the governor for life, and the raising of money for the repair of the fort at New York and for the erection of a chapel.

In response the Assembly passed a bill establishing a ministry in some Church of England parishes in four counties, but ignored all the other matters. The bill passed was immediately returned by the governor and council for amendment. The Assembly refused to amend. On the 20th of September he summoned the Assembly before him, and on their appearance lectured them severely upon their refusal to establish a ministry and to grant a permanent revenue for the executive. When he had finished his speech he immediately prorogued the Assembly, and a few days thereafter dissolved it and issued writs for a new election. The law went into effect, however, without the amendment.

The war between Governor Fletcher and the Assembly continued during his entire term, he proroguing and dissolving only to meet with similar opposition after new elections. It is a well-established fact that to accomplish his purposes he personally interfered with the freedom of elections, was privy to and countenanced great frauds therein. He was unquestionably one of the most dishonest and avaricious governors among the needy adventurers foisted upon the colony to mend their fortunes. His patronage and power was in the market for the highest bidder.

Among other charges against Governor Fletcher was corrupt

interference with legislation. If any act for the benefit of the people was desired, it must have its price; and if the price was not paid, they must go without it. New York City for a long time enjoyed a monopoly in regard to bolting and shipment of flour, to the great prejudice of Ulster County, which was at that time the principal grain-raising region in the province. The people of Kingston, to break up that monopoly and procure the enactment of what was called "the Bolting act," had to pay several hundred pounds. The individuals, however, who undertook to raise the money, being unable or failing to do so, it was "jumbled in with the public tax," and the governor got his price.

During the term of Governor Fletcher, and on the 11th of November, 1692, a law was passed, entitled an act for encouraging a post-office, under which it is believed the first post-office was established in this colony.

By the official reports of his immediate successors in office, it appears that Governor Fletcher "had embezzled and converted to his own use great sums of their public money," and that he was pecuniarily interested in piratical and smuggling operations on the seas. His corruption, of course, tainted the whole lump, so that, through the carelessness and corruption of the officers of the customs and revenue, connived at by many of the governor's council concerned in the breach of the laws, to their pecuniary profit, the revenue had, with a fourfold increase of trade within ten years, diminished one half.

During the latter part of Fletcher's administration the Canadians, French, and Indians gave the colonists a respite, in order that they might turn their attention to the subjugation of the Indians in the vicinity of the lakes. The French undoubtedly had in view their favorite plan of connecting Canada with Louisiana by a cordon of forts along the Ohio and Mississippi.

In 1697 the king announced his disapproval and consequent repeal of the law passed by the Colonial Assembly in 1691, hereinbefore referred to, declaratory of the rights of the people, thus placing himself in direct antagonism to the colonists upon the great principle of representation—the colonists claiming that representation was an inherent right belonging to the people; the king and his counsellors, on the contrary, that it was a privilege enjoyed through the grace of the crown. That in after years was the great question which lay at the foundation of the grand revolution, culminating in the independence of the provinces.

Richard Coote, Earl of Bellamont, succeeded Fletcher as governor of the province. Although appointed in 1695, he did not receive his commission until 1697. His commission and instructions were similar in form to those of his predecessors, but they ex-

tended his rule over Massachusetts and New Hampshire, as well as New York. He arrived at New York on the 2d day of April, 1698, and at once received the surrender of the government. He found it, as he represented in his despatches to the ministry, in a wretched condition, and so were the people through bad government.

The several administrations of Sloughter, Ingoldsby, and Fletcher were distinguished for nothing so much as corruption and maladministration, together with a tendency to excite and encourage dissensions, party spirit, and disorder throughout the province. They had evidently not been promoted to the executive chair on account of any capacity for the position. The Earl of Bellomont, on the contrary, was the antipode of his predecessors in the qualities necessary for good government. His administration, though brief and terminated by an early death, verified the opinion expressed of him by the king, that he was "a man of resolution and integrity."

When he assumed the government the people were divided and distracted into two parties of the most violent description: one in support of and the other condemnatory of the proceedings against Leisler and his supporters; added to which was the persistent and continued action of the government to force upon the Dutch Calvinistic community the support of a Church of England ministry. To add to his embarrassments, a majority of the council, his constitutional advisers, were largely and pecuniarily interested in frauds upon the customs revenue and the ill-gotten gain of pirates roaming over the seas, with licenses in their possession from his predecessors in office.

Immediately after entering upon the office, he issued writs for the election of a new Assembly. When the Assembly convened he ascertained that eleven out of the nineteen members owed their places to false and fraudulent returns made by the sheriffs. In his report to the Board of Trade he stated that one of the great difficulties encountered by him was that the sheriffs appointed by Fletcher were "of the Scum of the People." The Assembly thus organized so conducted itself that the governor dissolved it in a very short time, and charged the members with having "Sat near a month and done nothing, but villainous tricks to justify the falseness and unfairness of the Sheriffs returns."

The governor early in his administration turned his attention to and accomplished an exchange of prisoners with the Canadians, and had a satisfactory and friendly conference with the five nations of Indians at Albany.

Convinced that a large majority of the council were not in accord with his views of reform, but had, in fact, connived at and

participated in gross frauds upon the government, he made a sweeping change in the *personel* of the council, and issued writs for the election of a new Assembly. He also made changes in the shrievalties of several of the counties.

The Assembly then elected was composed almost entirely of Leislerians. They were convened and addressed by the governor on the 21st of March, 1699. The representatives from Ulster County were Jacob Rutsen and Abraham Hasbrouck.

Among the laws passed by that Assembly was one for the regulation and conduct of elections, and for the prevention of fraud therein. The law, on examination, will be found to contain many very salutary provisions, apparently guarding against fraud as effectually as human foresight could well do. It required the electors not only to be possessed of a freehold of forty pounds and upward, but to be actual residents of the district from which they were returned.

He called the special attention of the Legislature to a number of extravagant grants of land which had been made by ex-Governor Fletcher to favorites for a mere nominal consideration, as tending not only to impede the settlement of the country, but also to estrange the Indians occupying a large portion of them, and from whom releases were alleged to have been procured through fraud and misrepresentation.

Among those grants was one to Captain John Evans, bearing date the 12th day of September, 1694, "containing all that tract and parcel of land situate, lying and being upon the west side of Hudson's River, beginning from the south side of the land called the *Palse*, now inhabited by *French men*, and extending thence South-erly along the said *Hudson's-River* to the land belonging to the Indians at the *Murderer's Kill*, and extending westward to the foot of the high hills called *Pitkiskaker* and *Aiaskawasting*, and thence extending southerly all along the said hills and the river called *Peakadasank*, to a water pond lying upon the said hills, called *Merchary*; comprehending all those lands, meadows and woods called *Nescotonck*, *Chawangen*, *Memorasink*, *Kacogh*, *Getawan*, *Annuck*, *Gillatawogh*, and all and every of them; and the same erected into manor and Lordship of the Manor *Fletcherdon*; To have and to hold the said tract of land and Manor of Fletcherdon, with the Appurtenances unto the said John Evans, his heirs and assigns forever under the rent reserved of *twenty shillings*, and *one fat buck* per annum."

The Legislature accordingly passed a law vacating, breaking, and annulling the above, with several other similar extravagant grants, which act was approved and went into effect the 12th of May, 1699.

Thus are we to thank the beneficent administration of Governor Bellomont for the incalculable benefits showered, by the passage of that law, upon that large region of country embracing all Ulster County below New Paltz on the east side of the mountain, and a very large part of Orange County. When we consider the character of manorial tenures and the custom of the country at that time and for many years subsequent by individual owners of large tracts of land, there can be no doubt that if there had been no repeal those hundreds of square miles would have been brought under the scorching and blighting effects of landlordism.

It was therefore fortunate for that region of country that the morning star of Bellomont arose, and although in the ascendent for only a brief period, it dispelled the dark shadows, brushed away the blighting incubus, and declared the said grant to Evans, with certain other like grants, absolutely void, and that they were "broke vacated and annulled, and their registry should be obliterated, razed, defaced, and the memory and record of all the afore-said grants shall be reduced into oblivion and forgetfulness, as if no such grants had ever been made or registered."

The writer well recollects his visits in early life to Woodstock and Shandaken, in Ulster County, when that region, being part of an enormous grant of several hundred thousand acres, was principally covered by life leases, and where the continuance of the tenure of the occupant was dependent upon the uncertainty of the continuance of one or three lives named in the lease. Thus at any time an epidemic or other calamity might terminate the title of a whole neighborhood. One day they were freeholders, the next they might not be. All the interest of the inhabitants centred in the present, to make the most out of the land they could, and with as little expense as possible. Their want of care for and interest in the future was shown by their dilapidated houses and out-buildings, their common and temporary fences. Paints and paint brushes were apparently almost unknown in that locality. The tenant's interest was in the uncertain continuance of life; the landlord's, upon reversion in death. The whole face of the country told the sad story.

The inhabitants eventually rebelled against such tenures, and the rebellion resulted in their abolition. What a change in that country between *then* and *now*! Thrift and prosperity now put forth their blooming and smiling faces in every direction; comfortable, pleasant, and indeed luxuriant homes can be seen on every hand, tempting the denizen weary of city life to come annually for a season to enjoy their comforts. This great change was accomplished, as such radical changes frequently are, through the unhappy experience of resistance and opposition to the laws of the

land, and even at times tainted with violence. How much more happy the Bellomont exterminating spade, before the seed had been sown or the blighting growth commenced !

At that session was also passed a law against Jesuits and popish priests, requiring them to leave the province by the 1st of November following, under penalty of perpetual imprisonment, etc. It is true this apparently savored of bigotry and persecution, and has been so characterized by historians. Before passing such judgment, we must consider the exigency of the times, and the evil sought to be remedied by the enactment.

A large proportion of the inhabitants were those, or the immediate descendants of those, who came hither to escape the Roman Catholic persecutions in the Old World. There were no Roman Catholics settled among them in this province of which we have any knowledge. But the Canadian-French, their enemies on the north, were Roman Catholics of the most bigoted character, and they were flooding the remote parts of the province with Jesuit missionaries among the Indians ; “ who,” as alleged in the preamble of the act, “ by their wicked and subtle insinuations, industriously labor to debauch, seduce and withdraw the Indians from their due obedience unto his most sacred Majesty, and to excite and stir them up to sedition, rebellion and open hostility against his Majesty’s government ; for prevention whereof be it enacted,” etc. It was, therefore, an act of self-protection. They had learned to dread the hostile warwhoop, and guard against the savage massacre. Bigotry and persecution formed no part of the foundation plank. In modern times, as well as ancient, death was recognized as the appropriate punishment for sedition and treason ; here it was only imprisonment.

Governor Bellomont died suddenly on the 6th of March, 1701, while the Assembly was in session. At the time of his death John Nanfan, the lieutenant-governor, was in Barbadoes. This gave the anti-Leislerians an opportunity to throw things into confusion by raising a contest as to what official was entitled to assume the reins of government. This controversy lasted and was unsettled until the first Monday of June, the Assembly adjourning from day to day, but transacting no business. By that time Lieutenant-Governor Nanfan had arrived and terminated the controversy.

Lieutenant-Governor Nanfan immediately on his arrival assumed the duties of his office, and very soon thereafter dissolved the Assembly and issued writs for a new election. At that election there was a very bitter contest, and a great struggle for the ascendancy between the Leislerians and their opponents. The country was now reaping, in all its bitterness, the evil but inevitable result of the unfortunate condemnation and execution of Governor Leisler

and his secretary, Milborne, by his hot-headed opponents. In the contest the Leislerians prevailed. The delegates from Ulster were Jacob Rutsen and Adrien Gerretson.

The newly-elected Assembly convened on the 19th of August, 1701. The contention was carried into the house, and Governor Nanfan excluded two of the returned members, Nichols and Wessels, on the ground of non-residence. That led to the secession of seven others.

It was the custom in the county of Ulster at that time to surround large quantities of contiguous cultivated land with an outside fence, which they called a circular fence, thus saving all intermediate fences. Many of those owning and cultivating lands in the central parts of the tract, although enjoying the benefit thereof, refused to contribute toward the expense of its construction or maintenance. The Assembly being applied to for a remedy, on the 18th of October, 1701, passed a law requiring the owners of land in Ulster County within any such circular fence to pay their respective proportions of the cost thereof, and if they refused, the law provided for an assessment by a justice of the peace, and process for the enforcement of its collection.

The Assembly about the same time passed another law making further provisions to secure regularity in elections, and appended a section thereto by which they provided "that to prevent all disputes relating to the Freeholders in Dutchess County, about the election of Representatives, the said county be and is hereby declared to be annexed to the county of Ulster, for the term of seven years, next after this present session; and that the Freeholders of Dutchess County, qualified by law, shall and are hereby empowered to give their votes for Representatives in the county of Ulster, as if they actually lived in the said county."

Upon an appeal to the British Parliament by the heirs of Governor Leisler and Milborne, as has been before stated, the conviction, judgment, and attainder passed by Sloughter's court against them was reversed. The Assembly, therefore, in pursuance of the recommendation of Lord Jersey, Secretary of State, ordered money to be raised and other measures taken to restore to the family of the executed Governor Leisler the rights of which they had been deprived by the vacated attainder and judgment.

During the administration of Governor Nanfan a rumor obtained currency in the colony that Lord Cornbury had been appointed governor of the province. This rumor created great rejoicing among the anti-Leislerians, and led them to send communications to England, addressed to the king and to the prospective governor and others, highly condemnatory of the administration in the province and the party sustaining it. The discovery thereof

by Governor Nanfan led to the arrest and imprisonment of a number of the actors, also the trial and conviction of some for high misdemeanors and treason; fortunately there were no executions.

The offensive letters referred to were written by Nicholas Bayard. In the one addressed to the king, he said "that the late differences were not grounded in a regard to his interest; but the corrupt designs of those who laid hold of an opportunity to enrich themselves by the spoils of their neighbors." The petition to Parliament stated that "Leisler and his adherents gained the Fort at the revolution without any opposition; that he oppressed and imprisoned the People without cause, plundered them of their goods, and compelled them to flee their country, though they were well affected to the Prince of Orange. That the Earl of Bellomont appointed indigent sheriffs, who returned such members to the Assembly as were unduly elected, and in his Lordship's esteem. That he suspended many from the Board of Council who were faithful servants to the Crown, introducing his own tools in their stead." They also denied the authority of the late Assembly, and added "that the house had bribed both the Lieutenant Governor and the Chief Justice; the one to pass bills, and the other to defend the legality of their proceedings." The next day after their arrest Bayard, Vandam, French, and Wenham sent an impertinent communication to the lieutenant-governor, in which they boldly justified the legality of their address, and demanded to be released from imprisonment. Unfortunately for them, however, in 1691 Bayard, in order to carry out his programme against Leisler, had procured the passage of a law by which it was declared that "whatsoever person or persons shall, by any manner of ways, or upon any pretence whatever, endeavor by force of arms or otherwise, to disturb the peace, good and quiet of their Majesties' government, as it is now established, shall be deemed and esteemed as rebels and traitors unto their Majesties, and incur the pains, penalties and forfeitures as the laws of England bear for such offences, made and provided." Thus was Bayard to be caught in a trap of his own creation. It was under the provisions of that law that Bayard was subsequently tried, convicted, and condemned as a traitor.

Edward, Viscount Cornbury, was appointed Governor of New York, and after his arrival on the 3d day of May, 1702, he entered upon the duties of his office, and at once dissolved the Assembly, and declared that a new one should be called as soon as possible. Under a call made shortly thereafter, Henry Beekman and Thomas Garton were sent as delegates from Ulster County.

Lord Cornbury was commissioned as Governor of New York by King William, to supersede Lieutenant-Governor Nanfan, not on

account of any merit or ability, but simply in gratitude for his early desertion of the army of King James for the Prince of Orange. He was, at the time of his appointment, a poverty-stricken nobleman, hunted out of England by a host of hungry creditors. Naturally prodigal and avaricious, he came to prey, by both fair means and foul, upon the purses of an impoverished and overburdened people. After the death of King William his appointment was confirmed by Queen Anne, and he was, at the same time, appointed to the command of New Jersey.

The history of his government is nothing but a continued controversy between himself and the Assembly for money, and the oppression and prosecution of dissenting ministers. His conduct was such as soon to alienate all parties from him, and the protest against his government was so great that Queen Anne, in 1708, was compelled to supersede him, with the declaration that she would not countenance her nearest relative in oppressing her people.

On the 19th of June, 1703, a law was passed, which was confirmed by Queen Anne in 1708, declaring the proceedings against Nicholas Bayard and Alderman John Hutchins, for high treason, illegal, and reversing and making null and void the judgments and all proceedings against them.

On the same day a law was passed entitled "an act for the laying out regulating, clearing and preserving public Common Highways throughout this Colony."

That law, among other things, directed that a road should be laid out from the south bounds of Orange County (which was then New Jersey) through Ulster County to Albany, and also directed the laying out of roads from one town to another throughout the province, to connect with the common and general roads, and to convenient landing places.

The road laid out under that law from New Jersey to Albany was formerly generally called the King's Highway, and with very few changes is now the main direct road from Goshen, passing through Shawangunk, New Paltz, Rosendale, to Kingston, thence north through Foxhall and Pine Bush to the old fording place across the Esopus Creek, thence on the west side of said creek continued forward northerly to Albany.

The commissioners designated by law to lay out the roads in Ulster County were John Cock, Jacob Aertsen, and Abraham Hasbrouck.

Where this highway crossed the sawkill, the road to the north-western part of the county diverged therefrom to the left.

Lord Cornbury, in his zeal to foist the Church of England and its clergy upon the colonies, sent one of the English ministry, Rev. Mr. Hepburn, to supply the vacancy then existing in the Dutch

Reformed Church at Kingston. His reception is outlined in the following report from Rev. William Vesey, rector of New York, to the clergy convened at New York in October, 1704.

“Ulster County Commonly called Esopus. In this county the greatest number of People are Dutch, who about twelve years sent to Classis of Amsterdam for a minister ; Mr Neucella, being lately called home, left them destitute of any person to officiate among them, which his Excellency was pleased to take under consideration and has appointed the Rev Mr Hepburn to preach and to read Divine service to them. Whereby the English, who never had a minister among them, have the benefit of public worship, and are in good hopes of bringing the Dutch to a conformity. The Rev Mr Hepburn has, at present, small encouragement from the People ; but Chiefly under God depends on the Kindness and bounty of his Excellency, the Governor of this Province.”

The governor had previous to this, on the 30th of August, sent, through his secretary, a communication directed to “The Gentlemen at Esopus,” in which it was stated that “Mr Hepburn, who is a minister of the established Church of England, and sent by his Excellency to administer the Gospel to you, in this vacancy, ought I think, at least, to be provided for as well as a dissenting minister to the Church, who is only tolerated to exercise the unestablished religion he professes ; but it seems you have not been of that opinion, or if you have you have not paid obedience to his Excellency’s command, and that regard to this gentleman’s character as was due. This appears plainly from the mean accommodations you have provided.” The letter proceeded with a peremptory order to make better provision for him, etc.

The governor failed to convince the Dutch Calvinists of Kingston that it was their duty to support a clergyman of another faith under his orders, and his *protégé* soon left for want of support.

In the spring of 1708 Lord John Lovelace, Baron of Hurley, was commissioned as governor, with the usual instructions, but did not arrive at New York until the 16th of December following. Soon after his arrival, and on the 5th of January, 1709, he dissolved the Assembly, and issued writs for a new election, returnable on the 10th of March, 1709. The delegates returned from Ulster County were Henry Beekman and Thomas Garton. William Nichol was elected Speaker.

The Assembly had barely begun the business of the session when Lord Lovelace died very suddenly, and the government again devolved upon Richard Ingoldsby as lieutenant-governor.

Ingoldsby addressed the Assembly, and urged them to carry out the recommendations of the former governor.

England was then at war with France, and the queen and her

council desired an expedition to be fitted out by the colonies against the Canadas. The programme was for England to send a large force, with some vessels of war, direct to Quebec, New York and the New England colonies to send a force by land to co-operate with the fleet. The colonies very willingly concurred in the project. New York issued bills of credit, payable in five years, to defray their proportion of the necessary expenses. The bills were drawn in amounts suitable for use as a circulating medium, and were the first bills of credit issued on this side of the water. The quota of New York, consisting of four hundred and eighty-seven men, was speedily raised and sent forward, accompanied by some friendly Indians. They marched to Wood Creek, at the head of Lake Champlain, and there awaited notice of the arrival of the English contingent at Quebec. They waited there a long time, ready for an immediate advance. While there a very severe and fatal epidemic broke out among them, and their numbers were rapidly thinned by the great destroyer.

England failed to keep faith with the colonies. Instead of sending the fleet and forces, as promised, to Quebec, the ministry ordered them elsewhere. The forces of the colonies were left to return home, decimated by disease and disheartened, without having seen an enemy. The colonial forces were under the command of Francis Nicholson. The useless expedition cost New York twenty thousand pounds.

Colonel Schuyler, commandant at Albany, and one of the governor's council, fully appreciating the importance of the conquest of Canada to England, as well as the colonies, determined to go to England and impress it upon the ministry. He concluded to take four Indian chiefs with him. The New York Assembly, upon being informed of his intention, adopted the following resolution :

“Resolved, that the humble address of the Lieutenant Governor, council and general assembly of this Colony to the Queen, representing the present state of this plantation, be committed to his charge and care, to be presented by himself to her sacred Majesty ; he being a person who not only in the war, when he commanded the forces of this Colony in chief at Canada, but also in the present, has performed faithful service to this and the neighbouring Colonies ; and behaved himself in the offices, with which he has been entrusted with good reputation, and the general satisfaction of the People in these parts.”

The arrival of Schuyler with the Indians at the British court created quite an excitement. While they were there Captain Ingoldsby was removed, and Gerardus Beeckman, as senior councilman, exercised the powers of government from April 10th, 1710,

until the arrival of Brigadier-General Robert Hunter, who was commissioned as governor on the 14th of June following.

Nothing important occurred in the short interregnum during which Beeckman held the governmental reins. Governor Hunter, soon after his arrival, dissolved the Assembly, and issued writs for a new election returnable the 1st of September, 1710. The members returned from Ulster County were the same as last, Henry Beekman and Thomas Garton. The Assembly convened in September, and were addressed by the governor.

The colony having suffered very much under former administrations through misappropriations of the public funds, the Assembly were determined to prohibit the treasurer from the payment of any money upon the warrant of the governor, except in pursuance of an express appropriation made by law. On the 25th of October a bill of that character was favorably acted upon by the Assembly, which also made provision for the payment of the governor's salary for a single year. The governor having noticed their proceedings, summoned the Assembly before him on the 28th of October, called their attention to their action, and informed them that by his instructions from the queen he was directed to take to himself twelve hundred pounds sterling annually out of the revenues for his salary, and called upon the Assembly to reconsider and make the law conform to the queen's instructions. The Assembly adhered to its position. The council, upon the bill coming before it, proposed to amend; the Assembly refused to concur, and the governor then prorogued them on the 25th of November.

The governor, during the recess, conferred with the ministry at home. The ministry sustained him in his views. At the opening of the session of the Assembly in the spring of 1711, he commenced his address to them as follows:

"Gentlemen You are now come with a disposition to answer the ends of your meeting, that is, to provide a suitable support for her Majesty's Government here, in the manner she has been pleased to direct." After some further remarks, he added: "It is necessary, at this time, that you be told, that giving money for the support of government, and disposing of it at your pleasure, is the same as giving none at all."

The Assembly passed a money bill again, giving specific directions for the disposition of the money. The council amended, the house denied their right to amend, and the bill was defeated.

On the 30th of October, 1710, an act was passed for "the better settlement and assurance of lands in this Colony." By this law, which was an action of repose, it was declared that the possession of any lands from the 30th of October, 1700, to the 1st of September, 1713, without any opposing claim by actual entry or suit



brought, should be deemed a good title. It also provided that transcripts of deeds recorded in the Secretary of State's office should be good evidence.

In that year another expedition against Canada was projected by the ministry, and by their direction a conference was held in regard thereto by all the colonial governors from New Jersey to Massachusetts, inclusive. By the arrangement made, New Jersey, New York, and Connecticut were to furnish four thousand troops, to proceed by land, to support and assist a large naval and land force to be sent from England. To sustain their proportion of the expenses, the Assembly of New York created a debt of ten thousand pounds by the issue of treasury bills to be redeemed by taxation in five years.

This expedition was equally unfortunate with the others. The English forces arrived, but through mismanagement and a heavy fog five of their transports were wrecked in the river, and the eight hundred troops on board lost. This so discouraged the officer in command that the fleet was at once turned about and returned home. The colonial troops also, hearing of the disaster and departure of the English forces, returned home and were disbanded.

The public debt having been greatly increased by these unfortunate expeditions, the passage of some appropriation bills became urgently necessary. The action of the Assembly, in the preparation of the bills for governmental support, led to a bitter controversy between the two legislative branches. The council insisted upon their right to amend the money bills, that they were a part of the Legislature, constituted, as the Assembly were; "by the grace of the Crown." The house adhered to their position, and answered thus: "It is true, the share the council have (if any) in the legislation, does not flow from any title they have from the nature of that board, which is only to advise; or from their being another distinct state, or rank of People in the constitution, which they are not, being all commons; but only from the mere pleasure of the prince, signified in the commission. On the contrary, the *inherent right*, the Assembly have, to dispose of the money of the freemen of this Colony, does not proceed from any Commission, letters patent or other grant from the Crown; but *from the free choice and election of the People*, who ought not to be divested of their property (nor justly can be), without their consent. Any former condescensions, of other assemblies, will not prescribe to the Council a privilege to make any of these amendments, and therefore they have it not." And they further alleged that the opinions of her Majesty and her ministers could not conclude them. Thus we see the fundamental principle in regard to taxation and representation plainly set forth and adhered to by the representa-

tives of the people. They were men of the true stamp, and not puppets in the control of royalty.

Notwithstanding, the colony was for a time much disturbed by fears of inroads by the French and Indians, as well as of an attack by sea upon the city of New York; and money was greatly needed, both houses adhered firmly to their respective opinions, and would not yield or compromise. Thus the public debts remained unpaid. The apprehension of a hostile attack or invasion, however, was soon removed by the treaty of peace between France and England in 1713.

Another controverted point was raised during the administration of Governor Hunter between the council and the Assembly. The governor created a Court of Chancery, and appointed all the officers necessary for its organization and conduct without the consent of the Assembly, but with the concurrence of the council. The Assembly protested, and urged that as the king could not create such a court without the consent of Parliament, the governor could not without the consent of the Assembly. But on appeal taken to the government in England, the Assembly was overruled and the creation and legality of the court sustained.

In the summer of the year 1714 a long session of the Assembly was held, devoted almost exclusively to matters connected with the public debt, or rather, as shown by the preamble of the enactment, "to provide for the payment of legal warrants, issued by former governors, with the consent of the Council of the Colony, upon the Collector and Receiver General for the time being, payable out of funds raised from time to time for the support of the Government, and which warrants remained unpaid by reason of the misapplication and extravagant expenditure of such funds by some of the former Governors, contrary to the true intent and object for which they had been raised." The amount thus required to make good the malfeasance of some of the former governors was twenty-seven thousand six hundred and eighty pounds. Recourse for the settlement of such warrants was had to the issue of bills of credit for the full amount. They were to be signed by commissioners specially named in the act for that purpose, and could only be issued by the treasurer in strict conformity to the stringent provisions of the act. The act contained provisions tending to guard against future misappropriations.

The news of the death of Queen Anne was received in the fall, and a dissolution of the Assembly of course ensued.

Writs were issued for election of delegates to a new Assembly, returnable May 3d, 1715. The delegates elected from Ulster County were Henry Beekman and Jacob Rutsen.

The house met on the 3d of May, 1715, and were addressed by

the governor as usual. They passed several laws, among others one authorizing the repair of the county house and prison in Ulster County. The newly-elected house did not accord with the views of the governor in respect to the powers of the different branches of the Legislature, and they were prorogued on the 21st of July, 1715.

In August Governor Hunter received a new commission from George I., which of course superseded that of Queen Anne. He was therefore advised by the attorney-general that the Assembly was thereby dissolved. He then formally declared the Assembly dissolved. Writs for a new election were not issued until 1716, returnable June 5th. On that day the new Assembly met. The delegates from Ulster were Jacob Rutsen and Abraham Gaasbeek Chambers. A majority proved to be in harmony with the governor, and during the remainder of his administration there were no further radical differences between the executive and Assembly.

On the 24th of June, 1719, Governor Hunter announced his intention to go to Europe, to settle up some of his private matters and recruit his health. On the 21st of July, 1719, he set sail for Europe, and the chief command devolved on Peter Schuyler, who was the oldest member of the council. During his short administration there was no session of the Assembly, and nothing of special interest occurred to be noted except that he made a treaty with the Indians at Albany, confirming the ancient league.

CHAPTER VIII.

FROM 1720, THE ARRIVAL OF WILLIAM BURNET AS GOVERNOR,
TO 1753, THE ARRIVAL OF SIR DANVERS OSBORNE.

WILLIAM BURNET, having been duly commissioned by the king as Governor of New York and New Jersey, arrived and took charge of the affairs of the province on the 17th of September, 1720.

The preceding English governors had all been military men, and most of them well understood and gave practical proof of their knowledge how to govern for the promotion of their own interest and the enlargement of their private purse. Governor Burnet was a civilian, and governed satisfactorily to the people and with disinterestedness. He early saw the importance of diverting the Indian trade from Canada, and for that purpose established a trading post at Oswego. This, of course, was opposed by those who were pecuniarily interested in the circuitous trade through Montreal. The Legislature sustained the governor, and passed the necessary enactment. The English merchants who furnished the goods and the Albany traders who sold to the French, finding that their lucrative operations would be seriously interfered with, organized a powerful and bitter opposition. So long as it filled their pockets, they cared not what advantages the French, the enemies of their country, derived thereby in their influence over the Indians. It was a striking exhibit of the selfishness of human nature. They carried their opposition, with the grossest misrepresentations, to the throne for the repeal of the law. It was only through the most vigorous action of the friends, and a plain representation of facts, that they were defeated, and the trading house at Oswego established and properly officered.

In that year, 1722, a congress of governors from the different provinces met at Albany to confirm treaties and transact some other business with the Indian tribes. It was composed of governors of the provinces, some attending in person, others represented by duly authorized commissioners. It was the second American congress, and, as has been said, "had its effect in leading to those Provincial and general congresses by which our Independence was achieved." It led the way, and taught the impor-

tance of unity of action. This congress at Albany secured the friendship of the Iroquois, and the treaties with that people were renewed and confirmed.

The wisdom and beneficial effects of those treaties, and of the direct trade with the Indians at Oswego, became very soon triumphantly apparent. But the bitter hostility of those whose pecuniary profits were injuriously affected thereby was continued, and unremittingly operated against the governor. Finally, in 1727, the opposition against the governor prevailed in the Assembly, and it was dissolved. About that time Governor Burnet was transferred by the British Government to Massachusetts, and appointed its governor.

John Montgomerie succeeded Governor Burnet in the executive chair, having been commissioned as Governor and Chancellor of New York by King George II. Montgomerie arrived in New York, and assumed his gubernatorial duties on the 15th of April, 1728. During his administration, which was very short, he died, on the 1st of July, 1731. Nothing of special importance occurred, except that the mercantile interest opposed to direct trade with the Indians, aided by French influence in the British court, secured the repeal of the Burnet law, under which it had been established. Thus was the interest of the public sacrificed and made to succumb to the pecuniary interest and miserly demand of a few traders, and to the advancement of French interests.

Rip van Dam, then the oldest member of the council, succeeded to the governorship, and administered the affairs of the province until the arrival of the new governor.

William Cosby, a colonel by title, and in search of a fortune, received the usual commission as governor, but did not arrive until the 1st of August, 1732, when he immediately assumed the reins of government. The Assembly were in session at the time, and soon after granted a revenue to support the government for six years, including a salary to the governor of fifteen hundred and sixty pounds, with some emoluments. Cosby very soon after gave an index to his character. When informed by Mr. Morris, a member of the Assembly, that it had granted to him a gratuity of seven hundred and fifty pounds, his contemptuous exclamation in reply was, "Damn them ; why did they not add shillings and pence !"

On the 14th of October, 1732, a law was passed authorizing the justices of the peace of the county of Ulster to build a court-house and jail for the county, and dispose of the old one.

Very soon after the commencement of his term the governor had a controversy with his predecessor, Van Dam, in regard to the division of the salary. That controversy culminated in the trial of a libel suit in 1735, the proceedings and result of which that dis-

tinguished patriot, Gouverneur Morris, in after years declared to have been "the germ of American freedom, the morning star of that liberty which subsequently revolutionized America." Such being its effect, it cannot be considered a digression to give a brief narration thereof.

The king gave Cosby before he left England an order for an equal partition between himself and Van Dam of the salary, emoluments, and perquisites of the office during the time Van Dam administered the government.

Under that order Cosby demanded that Van Dam should pay one half the salary he had received, £1975 7s. 10d. Van Dam contended that the order included "emoluments and perquisites," and as Cosby had received, in "emoluments and perquisites," £6407 18s. 10d., the division made, if any, must include the whole, according to the king's order. That would give a balance of twenty-four hundred pounds to be paid by Cosby to Van Dam. Van Dam was willing to let it stand as it was—each keep what he had.

The governor brought suit against Van Dam in the exchequer. Chief-Justice Morris and second and third Judges Delancey and Phillipse formed the court. The two latter were the governor's most intimate friends. Two of the most eminent lawyers in the colony, William Smith and James Alexander, appeared as counsel for Van Dam. They excepted to the jurisdiction of the court. Chief-Justice Morris supported the exceptions, but Delancey and Phillipse overruled the plea. Governor Cosby then removed Justice Morris from office, and appointed Delancey chief-justice in his place, without consulting or advising with his council. He subsequently, at a meeting of the council, when no quorum was in attendance, presented the names of James Delancey as chief-justice and Phillipse as second judge.

Party feeling now became terribly bitter. The democratic, or popular branch, sided with Van Dam; the aristocratic, with the governor, who was also still supported by a majority in the Assembly. There were at that time two newspapers published in New York—one by Bradford, the public printer, a weekly issue, and the mouthpiece of the governor. The other was also a weekly paper, published by John Peter Zenger, who supported the opposition.

Zenger, in one of his issues, charged Mr. Harrison, one of the governor's council, with an effort to blackmail Mr. Alexander by a threatening letter against himself and family unless money was deposited in a specified place for the writer. The paper was brought before the grand jury; they ignored the complaint. This being followed by the discovery of other malpractices of Harrison, he left the country.

Zenger continued his attacks upon the government without cessation, and in almost every form. He made serious charges, and printed home truths mingled with squibs and ballads. Governor Cosby and his council became desperate. Aided by Chief-Justice Delancey, they attempted in vain to get Zenger indicted. The grand jury ignored all their complaints. They presented the papers to the Assembly ; it ordered them to lie on the table.

On the 2d of November the council ordered the offensive papers to be burned by the common hangman or whipper, and that the mayor and magistrates of the city attend to such burning. When the sheriff presented the order at the quarter sessions, and moved for the compliance of the magistrates, the court would not suffer the order to be entered ; the magistrates protested against it as arbitrary and illegal, and ordered the whipper not to obey. The burning was eventually done by a negro slave of the sheriff, and was attended by the sheriff, the recorder, and a few dependents upon the governor.

Failing to procure an indictment against Zenger, they proceeded against him by information, and had him lodged in prison. That proceeding was one of the relics of despotism. It was an accusation or complaint exhibited against a person for some criminal offence. It differed from an indictment in this : an indictment was an accusation found by the oath of twelve men upon the testimony of witnesses examined under oath ; an information was the simple allegation of the officer who exhibited it.

In 1735, at the April term of the court, Messrs. Alexander and Smith, as counsel for Zenger, filed exceptions to the commission of the Judges Delancey and Phillipse on the following grounds : (1) To the term, which was at will and pleasure ; (2) to the investiture ; (3) to the form ; and (4) to the want of evidence that the council concurred with the governor in their appointment.

The judges repelled the attack, and the chief-justice, addressing the counsel, said : “ You have brought matters to this pass, that we must either go from the bench or you from the bar ; ” and the counsel were silenced and disbarred.

The court organized by the governor, with his bosom friends on the bench and the selected counsel for the prisoner silenced and turned out of the bar, was ready to proceed with the trial, and designated Mr. Chambers, as counsel, to manage the defence. He, preparatory to the trial, demanded a struck jury, and it was ordered, and caused necessarily a short postponement.

When the trial was moved on and the jury sworn, Mr. Hamilton, a distinguished counsellor from Philadelphia, unexpectedly to the court and prosecution entered the court-room, and appeared as counsel for the defence.

At the commencement of the trial Mr. Hamilton admitted the printing and publication. The attorney-general demanded that the jury must then render a verdict of guilty. Hamilton alleged that the charges were true, and therefore no libel. He ridiculed the position assumed by the judges, that a libel was "the more dangerous for being true." In his discussion of the question of law with the court, he convinced the jury, before addressing them, that the refusal to permit evidence of the truth of the publication added to the tyranny under which the people suffered. Then, turning to the jury and addressing them, he recapitulated the passages complained of, alleged them to be true, asserted that in criminal cases the jurors were judges of the law as well as the fact, and closed his address to the jury as follows: "I make no doubt but your upright conduct this day will not only entitle you to the love and esteem of your fellow-citizens, but every man who prefers freedom to a life of slavery will bless and honor you as men who have baffled the attempt of tyranny, and by an impartial and incorrupt verdict have laid a noble foundation for securing to ourselves, our posterity, and our neighbors that to which nature and the laws of our country have given as a right, the liberty both of opposing and exposing arbitrary power (in these parts of the world, at least) by speaking and writing the TRUTH."

The jury rendered a verdict of not guilty.

Shout upon shout shook the hall, which the court labored in vain to suppress. Mr. Hamilton was conducted by the crowd from the hall to a splendid entertainment. The next day the citizens were out *en masse* at his departure. He entered his barge with a salute of cannon, and was presented by the Common Council of the city with the freedom of the city in a gold box handsomely chased, and engraved with appropriate inscriptions.

Thus was tyranny baffled, the liberty of the press asserted, and even in those days of kingly and aristocratic rule the principle maintained, by a jury of the country, that truth is grander than fiction; that in libel it is not an aggravation, but, stripped of malice, a justification, as now proclaimed and set forth in the fundamental law of this State.

Governor Cosby died the next year after the Zenger trial. Mr. Van Dam was the oldest member of the council, and therefore regarded by the people as entitled to the temporary succession. But he belonged to the opposition, and besides it was announced that he had been suspended by the governor before his death. It does not appear ever to have been fairly settled whether that suspension was the act of a dying man, as some alleged, or had been done secretly and kept a secret for several months previous to his death. At any rate, whenever executed it was intended as a legacy, to take

effect at death. On account of the conflicting views between himself and the governor, Van Dam had absented himself from the meetings of the council during the Zenger trial.

The council met after the death of Governor Cosby, and a majority, against the protest of Mr. Alexander, administered the oath to Councilman Clarke. Van Dam disputed the validity of the death-bed suspension, and demanded the seals, claiming the government as the oldest counsellor. He was encouraged and sustained in this by the voice of the people. But Clarke, having the support of the council, officiated as their president.

On the 14th of October, 1736, the day for appointing officers, both incumbents assumed to act. The contest between the two parties or factions had become very bitter, and a resort to violence was threatened. While matters were in this excited state, declaratory orders came from England in favor of Clarke, and he very soon thereafter received the appointment of lieutenant-governor.

The Assembly had been adjourned from time to time, until it met in its ninth session on the 14th of October, 1736. The president, Clarke, opened the Assembly in a very lengthy speech upon the condition and necessities of the province. The council and Assembly made a brief reply, in which they lamented the unhappy division which had sprung up in the province and been industriously fomented "by the wicked artifice of some factious and implacable spirits, who, in order to gratify their own private piques and resentments, have put all at stake, and done their utmost to throw this Colony into the most fatal convulsions."

On the 3d of May, 1737, the Assembly, having failed to pass the appropriation bills desired by Governor Clarke in the form demanded by him, but had "passed some Resolves highly derogatory to his Majesty's Honor and just Prerogatives," he dissolved the Assembly.

Writs were issued for the election of a new assembly, returnable the 15th of June, 1737. The new Assembly met on that day. The delegates returned from Ulster County were Abraham Gaasbeek Chambers and John Hardenbergh. The governor, desiring to go to Albany to have a conference with the Indians, the Assembly was prorogued until the 3d of September.

The People's Party were in the majority, and the session at its opening threatened to be very stormy. The opening address of the lieutenant-governor was very mild and conciliatory. The answer of the house was threatening, and sprinkled with war clouds. They found much fault with the action of their predecessors, alleging prodigality and misappropriation of funds, and announced in strong terms what they would do and what they would not do.

Clarke, however, appears to have been equal to the emergency,

and in tactics to have equalled some of the astute politicians of the present day. He seemed to know when and where to adopt the maxim, "A soft answer turneth away wrath," and where and how official patronage could be turned to the best account; how opposing leaders could be led astray and their influence destroyed by holding up to their expectation glittering baubles of office, until the purpose had been served, and then denying their enjoyment. With shrewdness, therefore, he managed to work with the opposition Legislature harmoniously. He succeeded substantially in what he wanted, and at the same time many popular bills were passed and much business was accomplished. Among the local acts passed was one "to enable the Justices of the Peace of the County of Ulster to defray the charges of building a court-house and gaol, for the said county, and to enable them to furnish the same, and for defraying other charges therein mentioned." Among the general acts was one "lowering the interest of money to seven per cent;" also one "to defray the necessary and contingent charges of the Garrison of Oswego, repairing the same, and for better regulating the fur trade." The most important act was one "for emitting bills of credit for the payment of the debts, and for the better support of the Government of this Colony and other purposes therein mentioned." This act provided for the issue of "bills of credit to the value of £48,350 current money in New York," in different denominations, from ten pounds down to five shillings. The bills were declared to pass current as currency. Eighty-three hundred and fifty pounds in amount were to be paid over to the treasurer of the colony, and the balance paid over to the loan officers in the several counties in the proportions prescribed in the act, to be loaned to the people on bond and mortgage, at five per cent interest, in sums not less than twenty-five pounds nor more than one hundred pounds; interest payable annually, and principal in four annual instalments in the years 1747 to 1750, inclusive. The proportion of Ulster County was four thousand pounds. This was the first creation of loan officers and governmental loans in this country.

It was during the administration of Governor Clarke that the great panic prevailed in the city of New York in regard to a negro or rather slave insurrection. Although it proved the death of many poor negroes, the insurrection existed more in the excited imaginations of the people than in the reality. It originated from some petty thefts and accidental fires, which exaggerated from mole-hills into mountains, dethroned reason, and gave unfounded suspicions and excited fancies full sway. It will be seen, when reference is had more particularly to local matters in Kingston, that the alarm reached even there. The negroes were restricted

in their privileges, and a call made for a double night watch in that place.

The year 1742 is memorable in the annals of the city of New York on account of the great and fatal prevalence of the yellow-fever in that city.

In 1743 the administration of Lieutenant-Governor Clarke closed, and he was succeeded by Admiral George Clinton.

Admiral George Clinton arrived at New York on the 22d day of September, 1743, and at once assumed the reins of government. The inhabitants of the colony were very strongly impressed in his favor, very flattering accounts of his talents and liberality having reached here in advance of his arrival. In his opening address to the Legislature he gave the strongest assurances that the welfare of the province would be his chief care and study, which tended greatly to confirm such favorable impressions.

One of the first acts of his administration was the dissolution of the Assembly, and an order for a new election. The frequent return of the representatives to their constituents was popular with the people. The retention by some former governors of an Assembly for a long series of years, on account of their favorable support of the administration, met with strong remonstrances, and indications of disapproval from the people. Some of the former governors had also excited against themselves bitter feeling and hatred on the part of the people by their efforts, through frequent proroguing or dissolutions, to annoy and force the assent of the Assembly to distasteful measures.

About that time the French ministry were making great preparations to invade England, and to place the pretender, Chevalier de St. George, upon the throne. The Protestant feeling and prejudices of the colonists were readily aroused against the Pretender, as a Roman Catholic and creature of the pope. As a result, we find that when the Assembly met, in its reply to the governor's speech all former subjects of difference between the executive and the Assembly were entirely ignored, and it was replete with the strongest assurances of loyalty and adherence to the Protestant faith. The delegates from Ulster County were Colonel Gaasbeek Chambers and Abraham Hasbrouck.

At the first session of the Assembly, in the fall of 1743, a law was passed limiting the continuance of the general Assembly to seven years; it received the approval of the governor, and continued in force until the Revolution. The Legislature at that session passed an act for the regulation of prosecutions by information, in order to reform such abuses as had been practised in the case of Zenger and others; but through the influence of the attorney-general it was not acted upon by the council. The passage

of such a law would have interfered too much with that official's perquisites and arbitrary powers. This proceeding by information was one of the royal prerogatives, which had its rise in the days when despotism was in the ascendent, and the people were serfs, apparently without rights and without privileges. It was a right, vested in the king's attorney-general, to commence a criminal prosecution against and arrest any citizen upon his own motion or the request of an individual by filing a suggestion or information in court, charging the defendant with any crime short of a capital offence. The citizen could be thus subjected to the odium, annoyance, and expense of defending a prosecution instituted perhaps upon mere suspicion, without probable cause, actuated by malice, and not supported by the solemnity of an oath. It was a tremendous power for oppression, ill-use, and extortion, at the mere beck or will of the attorney-general. Our ancestors demanded protection against the abuse of such power. The council considered their demand unworthy of notice.

At the April session the Assembly assured the governor that it would cheerfully concur in every measure for the security of the colony. At that session an appropriation of four thousand pounds was made for fortifications and military operations, and a tax ordered to defray the expense.

The Assembly, after a short recess, reassembled in July. The governor called its attention to the existence of the war of England with France and Spain, and the necessity of immediate preparations for defence against their northern neighbors and the Indians. The Assembly in response voted liberal supplies.

The English Government was not satisfied with the colonies placing themselves on the defensive, but convinced of the great value of the acquisition of Canada, it sent peremptory orders to Governor Clinton to carry hostilities into the Canadas and accomplish their capture—thus seeking its own aggrandizement at the expense of the blood and treasure of the colonies.

At the March session of the Assembly, in 1745, the governor directed the attention of the house to the contemplated attack upon Canada, and demanded its favorable action. The house made no response to the governor's speech. It was determined to do all that was necessary for defence, and to secure the friendship of the Indians; but the Assembly considered it the business of the English Government, and not that of the colonies, to add another jewel to the British crown. They were already burdened and ground to the earth with enormous taxes, and could do no more than was necessary for self-protection. Information came also from England that a bill was pending in Parliament to prevent the issuing of colonial bills of credit, and their use as money. The colonists felt

that the passage of such a law would be knocking their last prop from under them. This had been their great relief in the enormous expenditures they had theretofore incurred in their previous offensive as well as defensive wars with the French and Indians.

The governor was very indignant at the non-action of the Assembly, summoned them before him, and after giving them a severe reprimand, dissolved them. Writs were issued for the election of a new assembly, to meet on the 25th day of June, 1745. The Assembly convened on that day, and Albert Pawling and John Hardenbergh appeared as delegates from the county of Ulster.

The new Assembly contributed five thousand pounds toward the expenses of the expedition organized in Massachusetts and the eastern provinces for the capture of Cape Breton, but contributed no men.

New York was kept in constant activity and alarm with incursions by the French and Indians upon her northern borders. Saratoga was surprised, some of its inhabitants slain, others carried off as captives, and destruction spread over the neighborhood, attended with the most brutal and horrible cruelties on the part of the French and Indians.

Ulster County was panic-stricken, lest the marauders should be able to extend their ravages that far into the interior. Besides contributing its quota of men for the defence of the most exposed frontier at the north, Ulster was obliged to keep a constant patrol and watch for the protection of its outside settlements.

In July, 1745, the Assembly passed an act to raise forty thousand pounds by tax, and it received the approval of the governor and council. On the 26th day of February, 1746, a day of fasting and prayer was directed to be observed throughout the colony, in order "to implore the Divine goodness, to crown his Majesty's arms with success, and to protect the inhabitants from the barbarous incursions of the Indians, and the detestable plots of the French and the Pretender."

In the beginning of the year 1746, the French and their Indian allies had become so bold that they ventured with their marauding parties to within a very short distance of Albany, took and carried off prisoners, plundered and set fire to houses and murdered inmates. These bands, when pursued, eluded capture and escaped. The whole country was in a state of great fear and excitement.

A refusal on the part of Pennsylvania and Connecticut to contribute anything toward supplying the Six Nations of Indians with the provisions of war was productive of very bitter feeling on the part of the New York colonists toward their neighbors, and justly so; it stirred up afresh the jealousy which had for some time existed between them.

In June, 1746, the Assembly resolved that provision should be made for sending four hundred and fifty men and fifty Indians to the northern frontier. About the same time the Assembly received a message from the governor, advising it that the British ministry had proposed an expedition against Canada, to be organized in the provinces, and to be aided by a naval force from Great Britain. The house concurred in the proposition with great unanimity, and immediately voted a bounty of six pounds, over and above regular pay, to each able-bodied volunteer for service in the expedition. They also appropriated six thousand pounds for the immediate purchase of supplies for victualling the forces that might be raised in the colony for the proposed expedition.

Notwithstanding the enormous pecuniary and other sacrifices entailed upon the colony by the proposed expedition, every measure was cheerfully adopted for its advancement.

A disease similar to yellow-fever broke out in Albany that summer, which proved fatal to many in the city; it also attacked the Indians encamped in the vicinity to such an extent that the governor felt compelled to dismiss them from further attendance. As cold weather advanced the disease subsided, and in the winter it wholly disappeared.

The English Government, in reference to the proposed attack upon Canada, appeared to have had all its objects fully answered by arousing the colonies to raise troops and expend large amounts of money. The promised fleet for the expedition, to co-operate with the land forces, never was sent, nor were any steps taken on the part of the home government for the protection of the colonists.

On the 4th of August, 1747, the governor informed the Assembly that Governor Shirley, of Massachusetts, proposed a junction of the forces of New York, Connecticut, and Massachusetts for offensive operations. The whole expense, exclusive of provisions, was estimated at fourteen thousand pounds. The Assembly refused to act until it knew how much Connecticut and Massachusetts would contribute, but informed the governor that it would cheerfully contribute one third part of whatever expense was found necessary to carry out any well-concerted scheme for annoying the common enemy, but would not do any more.

Commissioners appointed by the three several colonies agreed upon a plan for the combination of their forces and a division of the expenses.

On the 25th of November, 1747, the governor dissolved the Assembly, and issued writs for a new election, the Assembly to convene on the 12th of February, 1748.

The new Assembly convened on that day, and Abraham Hasbrouck and Johannis Janse appeared as delegates from Ulster County.

The agreement made for a union of the forces of the three colonies against the enemy was not carried out, by reason of the government of Massachusetts not approving it.

In October of that year a treaty of peace was concluded between England and France. England, by one of the articles in that treaty, restored to the French Cape Breton, the key to Canada, which had been taken by the colonists. Thus that valuable acquisition, won by colonial blood and treasure, was thrown away.

We have thus reached the conclusion of the war tainted with savage murder, cruelty, and bloodshed, and the inauguration of peace with the whilom outside enemies of the colonies. Now with peace without, it becomes our duty to record a bitter but bloodless contest within upon an important question of principle between the royal executive and the representatives of the people.

The Assembly convened on the 28th of June, 1749, and the governor in his opening address, after congratulating the Assembly upon the establishment of peace, referred to the manner in which appropriations were made annually, and were not subject to the warrant of the executive. He then proceeded as follows :

“I must demand of you, Gentlemen of the Assembly, to give me an answer in direct and positive terms, previously to your going on any other business, whether you will grant his Majesty a revenue for support of his Government conformable to his commission and instructions to me, the copies of which I now deliver to you.” The instructions referred to directed that “all moneys raised by any act” should “be issued out by warrant from you” (the governor), and that all “laws made for the supply and support of the Government should be indefinite and without limitation.” “You (the governor) are not to suffer any public money whatsoever to be issued or disposed of otherwise than by warrant under your hand, by and with the advice and consent of the said council.”

The Assembly replied to the governor's message, and in conclusion say, “that the faithful Representatives of the People could never recede from the method of an annual support.”

On the 12th of July the governor delivered another message, in which he reiterated his demand, and asked a categorical answer. The Assembly on the 14th of July replied, and in conclusion say, “We must declare to your Excellency that we cannot answer it to our constituents, to pass any bill for raising money on them, and leave it to be disposed of at the will and pleasure of a Governor. . . . And we now declare to your Excellency, that we are heartily willing to provide an honorable support for his Majesty's government in this colony, in the manner wherein it has been done ever since your Excellency came to the administration (this was by annual enactments). . . . We take leave to

assure your Excellency, that no inconvenience, how great soever, to which our own persons or private affairs may be exposed, by means of our being kept here, shall ever prevail upon us to abandon the true interests of our country." After considerable further discussion between the governor and the Assembly, and adjournment from day to day without the transaction of any business, the governor on the 4th day of August prorogued the Assembly until the 12th day of September, 1749. It was thereafter prorogued from time to time by the governor, until his dissolution thereof on the 21st of July, 1750.

The new Assembly met on the 4th day of September, 1750, and John Hardenbergh and Johannis Janse appeared as delegates from Ulster County. The *personnel* of the Assembly was substantially the same as the last. There were only five changes of members, and David Jones was unanimously re-elected Speaker.

The governor and the Assembly apparently met in a much better and more conciliatory spirit than they parted at the dissolution. They exhibited a determination not to permit their differences to interfere with the proper administration of the government.

The governor in his message called the attention of the Assembly to various matters requiring immediate attention. In reference to the question at issue at the last session, he simply in substance stated that in reference to matters relating to the support of the government, and the manner of raising and issuing the public moneys, it could adopt no better rule than that contained in the governor's commission, and the royal instructions accompanying it. In the closing paragraph, he said: "I choose to shew my inclinations, to do everything in my power for the peace and prosperity of the People of the Province, by my actions rather than my words."

The Assembly met the conciliatory course of the governor in a becoming spirit, and as its address is as brief as conciliatory, it is given entire:

"We, his Majesty's most dutiful and Loyal subjects, the General Assembly of the Colony of New York, return your Excellency our thanks for your declaration, that you will shew by your actions rather than by words your inclination to do everything in your power for the peace and prosperity of the People of this Province; a resolution truly worthy the Representative of our most gracious Sovereign, who has ever demonstrated, through the whole course of his glorious reign, that the good of his People is his cheerful study, and their happiness his greatest glory.

"We assure your Excellency, that we shall immediately proceed to the consideration of the several particulars recommended in your Excellency's speech, and shall do therein what we conceive

will be necessary for his Majesty's service, and the security, peace, and prosperity of this his loyal Colony."

Thus ended the unpleasant episode between Governor Clinton and the people's representatives—a contest in which both parties contended for what each believed to be its legitimate rights. The governor, following the royal instructions, demanded that the appropriations for the support of the government should be permanent in their character, so as to place the executive, in that particular, independent of the people. The Assembly, on the other hand, was determined to hold and control the purse-strings, aware of the great advantage it gave to the people in the case of an arbitrary or dishonest executive.

The Assembly, on the second day of its session, passed and transmitted to the council for concurrence the requisite appropriation bill for the support of the government, but limited to one year in its operation. Thus at the same time that it supplied the executive with necessary funds for the government, it adhered to the position maintained in the controversy, and in which it had been sustained by the people.

On the 25th of September, 1750, the governor transmitted to the Assembly a letter from Governor Hamilton, of Pennsylvania, stating that New York was expected to bear part of the expense of securing the fidelity of the Indians on the Ohio River. In response to which the Assembly, in its address to the governor, stated substantially that it had incurred a debt of many thousand pounds during the late war, which was unpaid; it was not, therefore, in a condition to make the expected contribution. And as New York in the late war had defended her own frontiers, which lay between the Indians and Pennsylvania, without any assistance from that colony, she would leave Pennsylvania to attend to the Indians on the Ohio River at her own expense.

At this session one thousand pounds was appropriated to enable the governor to meet the Six Nations of Indians at Albany, and make them the usual presents. It also passed a law authorizing the justices of the peace of the county of Ulster to expend one hundred pounds repairing the jail in that county.

The Assembly was prorogued, and did not convene until the 30th of May, 1751. The governor then asked for an increased allowance for the Indians. The Assembly considered the amount allowed sufficient, and declined to grant any more.

The house was then prorogued until the 6th of August, but was not convened until the 8th of October, 1751.

At this session there was a renewal of the controversy between the house and the legislative council, in regard to their respective powers. The Assembly passed a bill to pay and discharge several

demands made against the colony. The council demanded of the Assembly to be furnished with the vouchers relating to the accounts. The Assembly refused, considering the demand "as extraordinary and unprecedented." It took the ground that it was "a money bill" over which it had exclusive jurisdiction. The council refused to act without their production.

The council, at the same session, originated and passed a bill entitled "an act to apply £500 for management of Indian affairs and for repairing the garrison at Oswego." Immediately upon its receipt by the house, it was rejected, on the ground that "it intrenches on the great essential and undoubted right of the Representatives of the People of this Colony, to begin all bills for raising and disposing of money."

Thus it will be seen that the representatives of the people, no matter in what form the question was raised, never lost sight of the great fundamental principle underlying the question of taxation.

The governor in his opening address to the Assembly, having asked for an additional appropriation for the Indians, it adopted an address to him informing him of the differences existing between it and the council. It further stated that it "had not passed any law in regard to Indian affairs, as it had only a short time previous appropriated £1000, and was not satisfied that it had been properly expended. That while it is apprehensive that what it is desired to give will not be usefully employed in the service in which it is required, it has concluded to give nothing at all."

It then asked permission for the members to return to their families for the winter.

On the 25th of November, 1751, the Assembly was dissolved. Writs were then issued for the election of a new Assembly, to convene on the 15th of February, 1752.

Johannis Janse and Moses De Pui, Jr., were returned as members from Ulster County. The house was not convened until the 24th of October, 1752. After passing such acts as were necessary for carrying on the government, it was on account of the prevalence of the small-pox prorogued. Its first meeting after that was on the 30th of May, 1753, at Jamaica, L. I. After passing a few laws in reference to financial matters, it was prorogued until the 9th of October, 1753.

Governor Clinton was recalled and appointed governor of the Greenwich Hospital, and Sir Danvers Osborne was commissioned as Governor of New York to succeed him, and Sir James De Lancey was appointed lieutenant-governor.

CHAPTER IX.

FROM THE ARRIVAL OF GOVERNOR OSBORNE IN 1753 TO THE
CLOSE OF THE FRENCH WAR IN 1760.

SIR DANVERS OSBORNE, the newly-appointed governor, arrived on the 7th day of September, 1753, and assumed the duties of his office. He appeared very melancholy on his arrival, and on the 12th of September committed suicide by hanging. He had then very recently met with a great domestic affliction in the loss of his wife, and thereafter had been very much depressed in spirits. He was sent to New York with the hope, on the part of his friends, that employment and change of scene would restore him, but it proved otherwise.

There is very little doubt, if any, that the prospective trials of the gubernatorial office, sure to arise under his rigid and peremptory instructions from the king, on the subject of the great questions in difference between the king and the colony drove him to madness and self-murder.

The bold and independent stand taken by the legislative assemblies of New York, in refusing to grant permanent salaries and appropriations for the governor and other officials, and also in withholding the keys of the treasury from the executive, and refusing to have the public funds therein subject to the governor's warrant, was extremely annoying to the king and his counsellors, and they determined to crush the opposition.

For that purpose they included in their instructions to Sir Danvers Osborne as governor, a peremptory order to call the council and Assembly together, and declare to them the king's high displeasure in the strongest and most solemn manner, and to enjoin upon them at once to recede from all encroachments, and consider without delay a "proper law for a permanent revenue solid indefinite and without limitation, giving salaries to all Governors, Judges, Justices and other necessary officers, etc., . . . and for all such other charges of government as may be fixed or ascertained."

The instructions further ordered that "money, raised for the supply and support of the Government, or for temporary emergencies, be applied, to the services for which it was raised, *no other-*

wise than by the Governor's warrant." And they further expressly prohibited the governor from assenting to any law based upon any other principle.

Thus was a positive issue created by royal order between the executive and legislative branch of the government, and of such character that one side or the other must yield, or the wheels of government be effectually blocked.

It is not surprising that a morbidly sensitive mind, burdened also with a great domestic affliction, should revolt at entering upon such a troublesome and unpopular contest, and lead the governor to prefer death to life.

The administration of the executive branch of the government then devolved upon Sir James De Lancey as lieutenant-governor. Upon the important questions at issue between the king and the colonial Assembly, the sympathy of Governor De Lancey was with the people. His position was therefore a trying and peculiar one. He obeyed the royal instructions to the letter, communicated them to the Legislature, and enjoined obedience, not only in the first, but in all his subsequent messages.

The Assembly continued firm in their adherence to the position it had assumed. It passed appropriation bills limited to a year, and made no change in the mode of drawing money out of the treasury. The legislative council, of course, under the peremptory instructions of the king, refused its assent. Thus matters continued, neither party yielding, and, consequently, the governor received no salary.

The Assembly adopted resolutions and an address to the crown, couched in very firm and strong language, adhering to its position and giving its reasons. Governor De Lancey forwarded the address and resolutions, accompanied with a recommendation to the ministry to recede.

This condition of things continued until the spring of 1756, nearly three years, when the English ministry yielded the point, and consented to annual appropriation bills.

Thus did the people eventually triumph, and it was, indeed, a great victory, which might not have been accomplished under a stubborn, unfriendly executive. Governor De Lancey was a man of talents, shrewdness, and good executive ability. Notwithstanding the positive and peremptory instructions under which he was governed, so directly opposite to the views of the Assembly, the executive and legislative branches of the government progressed in perfect harmony and good feeling.

During his administration, and on the 14th of June, 1754, a congress of deputies from all the colonies was held in Albany to devise a union for defence against the French and Indians, who,

notwithstanding the treaty of peace between France and England, were constantly committing depredations upon the border settlements. A plan of union was drawn up by Benjamin Franklin, who was one of the deputies. It was submitted to and approved by a committee, and upon its favorable report was adopted by the convention.

The plan contemplated an act of Parliament to sanction a general government over the colonies, each to retain its present constitution. The general government to be administered by a president-general and council to be appointed by the crown, and a grand council or house of representatives elected by the people of the colonies, convened in their assemblies respectively. The proportion of members for each respective province to such grand council was also prescribed. They were to meet once a year, but might be convened at any intermediate time upon emergencies.

England, through fear of the union, rejected the plan. The colonial governments disapproved of it as placing too much power in the crown. This was clearly the germ from which evolved the confederation, and subsequently the Constitution of the United States.

The action of this provincial convention toward a governmental union without doubt served to arouse the British Government from its Rip Van Winkle sleep, and convince it of the necessity of decisive and affirmative action against the Canadian-French and Indians. It perceived that the legitimate and necessary result of the continuance of its former policy to leave the battles to be fought, and conquest, if any, achieved by colonial action alone, would teach the colonies their warlike strength, and lead to a confederate union, which might in the end result disastrously to the British rule. Thus aroused, the British ministry inaugurated an entire change of policy, and determined to assume themselves the conquest of Canada, and furnish the principal force for that purpose, to be aided by the colonies. Thus at the same time that they would put an end to the cruel border wars, they would themselves, and not their colonies, make, or rather, perhaps, assume the credit of making an addition of great value to their colonial possessions.

The English Government also became aware of the necessity of decisive action on their part from the energetic manner in which the French were carrying out their plans for subjecting the entire Western country to their government. They were industriously engaged in exploring the Western country from the Canadas on the North to the Gulf of Mexico on the South, and at the same time burying possessory and discovery plates at certain distances from each other, establishing a line of fortifications extending from Canada and along the Ohio River and down to the Mississippi,

and were also, through their agents, exerting every possible influence by flattery, presents, and otherwise, to gain the affections and confidence of the natives, and excite their feelings and prejudices against the English. The ministry could not be blind to the fact that the successful accomplishment of their schemes by the French would necessarily most seriously affect the peace and safety of the entire western border of the British provinces.

It is not within the province of this work to detail at any length the events of the war resulting in the conquest of Canada by the English ; but as the avowed subject of our history was a part and parcel of the province, and many of her sons formed part of the provincial forces contributing to the successful result, some general statement may reasonably be expected.

The historical records of that date furnish so little information in regard to local troops and forces engaged, that very little information has been gathered in regard to the movements of the Kingston or Ulster County military connected with the invading armies.

On the 6th of December, 1754, Lieutenant-Governor De Lancey adjourned the Assembly until the second Tuesday of March, 1755. But early in January he received advices from England which rendered an earlier meeting necessary, by reason of the measures determined on by his Majesty's government, in reference to the defence of the colonies. The lieutenant-governor, therefore, issued a proclamation for the reassembling of the Legislature on the 4th of February, 1755. The Assembly convened on that day, and was at once addressed by the governor and requested to make immediate provision for the raising of men and money for the defence of the colonies, and aggressive action against the French and their Indian allies.

The Assembly at once proceeded to action, and on the 19th of the same month a law was perfected and enacted, the purport of which is fully explained in its title as "an act for raising a supply of £45,000 by a tax on estates, real and personal, for putting this Colony in a proper posture of defence, for furthering his Majesty's designs against his enemies in North America, and other the purposes thereinmentioned, for emitting bills of credit for the like sum, and for sinking and cancelling the bills in short periods."

On the 3d day of May, 1755, a further act was passed, entitled "an act for paying and subsisting eight complete companies of 100 effective men each, officers included, to assist, in conjunction with the neighboring Colonies, in erecting one or more forts nigh Crown Point within his Majesty's dominions, and for raising the sum of £10,000. for and towards said service."

And on the 11th day of September, 1755, the Legislature, for the furtherance of the same object, passed a further act, entitled

“an act for raising £8000 to be contributed to the Colony of Connecticut, towards the expense of reinforcement of 2000 effective men, now levying in said Colony, for the army destined against Crown Point under Major General Johnson and for emitting bills of credit,” etc. So that it will be seen that this province was in no way backward in forwarding the designs of the English ministry.

The British Government, while expressing their anxiety and desire to have the benefit of the colonial money and troops in their warlike operations, could not avoid an exhibition of their feelings and inbred conviction of superiority. Their Parliament, in making provision for the conquest of Canada, passed an act declaring that all troops raised by the colonial governments, whenever acting in conjunction with British soldiers, should be governed by English martial law. That was a fitting accompaniment to their previous orders, that all officers commissioned by his Majesty or commander-in-chief should take precedence of those commissioned by the provinces; and that the generals and field officers of the provincial troops should *have no rank* when serving with the generals and field officers commissioned by the crown. The effect of all this was to encourage and increase the insolence and contempt with which the British officers viewed and treated the provincials, and aroused feelings of disgust and hatred on the part of the provincials. The Americans, of course, submitted, but before the war closed, and, indeed, at its very commencement, the British were forced to acknowledge in a number of instances their indebtedness to the superior skill of American provincial troops in border warfare for the rescue of their forces from destruction.

It was also about this time, it is said, that “Yankee Doodle” had its origin among the wits of the British army. The army lay on the east side of the Hudson, not far from Albany, when the provincial troops joined them. So odd was the appearance and accoutrements of the militia that they were the subject of ridicule to the whole British army. Dr. Shackburgh of the British forces composed a tune, which he recommended to the officers as one of the most celebrated airs of martial music. It was enthusiastically received, and in a few days nothing was heard in the provincial camp but “Yankee Doodle.” In less than a quarter of a century from that time English armies laid down their arms and marched into the American camp to the same tune, and not far from the same locality.

In 1755 General Braddock was sent with English troops to take the supreme military command in this country, and in due time arrived in Virginia. He at once called a convention of the provincial governors at Annapolis. The plan of campaign was then

determined upon. The British general was to march to Fort Duquesne. Governor Shirley, who had received a major-general's commission from the king, was to march with the American troops against Niagara, and the militia of the northern colonies against Crown Point.

While these preparations were being made at Annapolis, some English troops commanded by Colonel Monckton, with the New England forces commanded by John Winslow, reduced Nova Scotia.

As to the result of the proposed attack against Fort Duquesne, Braddock was defeated with his English troops, and lost his life at Pittsburg. Sir William Johnson, to whom was intrusted the command of the expedition against Crown Point, proceeded with an army of six thousand men, supplied by New England and New York, including the troops from Ulster County, and three hundred Indians. A portion of the troops was left at Fort Edward. The main body proceeded to Lake George. Upon hearing that the French general, Baron Dieskau, was approaching to attack Fort Edward, Johnson despatched Colonel Williams with twelve hundred men to Fort Edward. Colonel Williams when he had proceeded about four miles met the entire French force in a narrow defile. Williams was killed on the first charge, and his command nearly annihilated. A few escaped by rapid flight to Johnson's camp.

The French general proceeded at once to attack Johnson. Sir William was severely wounded in the early part of the battle, and the command devolved on General Lyman; he not only succeeded in repelling the attack, but the French army was nearly destroyed, and its commander mortally wounded.

No advantage was taken of this victory, the objective point, Crown Point, although within easy grasp, was left unmolested, and the French permitted to continue their fortifications at Ticonderoga.

As soon as General Johnson ascertained the strength of the French forces ready to attack him, he called for re-enforcements. They were at once forwarded with all the despatch possible, but the French were defeated before their arrival. The following officers were sent from Ulster County on such call for re-enforcements with the companies under their command: Lieutenant Zachariah Hoffman, Lieutenant Hendrick Vandemark, Captain Johannis Newkirk, and Captain Cornelis Hoornbeek; by order of Colonel Gaasbeek Chambers; also Captain Jonathan Hasbrouck, Lieutenant William Nealy, Lieutenant Noah Eltinge, Captain Arnout Nile, Captain Simon Freer, and Captain Petrus Bogardus.

Governor Shirley marched from Albany, with troops from New

England, New York, and New Jersey, and some Iroquois Indians, to attack the French fortifications at Niagara. But before reaching Oswego news was received of Braddock's defeat, which produced such a disheartening effect, that his Indians, his boatmen, and some soldiers deserted, and he proceeded no farther than Oswego. While there sickness broke out among his troops, heavy rains set in, and the expedition was abandoned. He left a garrison of seven hundred men at Oswego with directions to build two forts, and returned to Albany without having seen the enemy. Thus ended the campaign of 1755.

In the month of December in that year Ensign Thomas Bull, Sergeant James Crawford, Jr., and John Wharry, with detachments of militia under them, were kept guarding and exploring the frontiers of Ulster County to protect the inhabitants against the Indians.

The death of General Braddock left General Shirley in command of the English forces, and he summoned a congress of the several governors of the colonies to meet in New York on the 12th of December, 1755, for consultation in regard to aggressive warlike action and defence. At that meeting it was determined to raise ten thousand troops in the provinces, organize expeditions to reduce the French forts on Lakes Champlain and Ontario, and conquer Canada. This was the work laid out by the commanding general for accomplishment; what was attempted, not to say accomplished, will be seen in the sequel.

In September, 1755, Sir Charles Hardy arrived in New York, with the royal commission as governor of the province, and assumed its duties. He was a British admiral, in no respect versed in or familiar with the duties of an executive. It is said that he placed himself under the guidance of Governor De Lancey, who thereby virtually remained the governor.

On the 17th of December, 1755, the governor transmitted a special message to the Assembly, informing it that he had received information that hostile Indians were infesting the northern parts of Pennsylvania, near the river Delaware, and had committed several murders, burned houses within a few miles of the settlements in this province, that they had also appeared in Minisink, Ulster County, and that he had ordered a detachment of thirty men from each of the regiments in Orange County and sixty from Ulster, to march to the frontiers, in order to protect the settlers and prevent them from deserting their habitations.

The Assembly on the following day unanimously resolved that in their opinion "provision should be made for a competent number of Rangers, to be raised out of the Counties of Orange and Ulster, for guarding the Western frontier of this Colony." And

on the 20th of December, 1755, the Assembly passed a bill entitled an act "to enable his Excellency the Governor or Commander in Chief, for the time being, to make detachments from the militia of the several counties therein mentioned, for protecting and securing the frontiers of this Colony." This bill was designed to enable the governor to raise a number of rangers out of the counties of Orange and Ulster by detachments, in case volunteers could not be procured for guarding the western frontier of this colony; and such number of effective men out of the county of Albany as might be sufficient to complete the quota of this colony for garrisoning Fort Edward on the carrying place, and Fort William Henry at Lake George. This bill having been passed by the legislative council without amendment, was signed by the governor, and became a law on the 23d of December, 1755.

General Shirley, in regard to the project contemplated by the congress of provincial governors to make a winter attack upon Crown Point, asked of the Governor of New York one thousand men as the quota for this province. The Legislature before passing any law to that effect, desired information in regard to the quotas to be furnished by the other provinces, and also as to the number of regular troops to be engaged. General Shirley stated that only two hundred regulars could be spared for the expedition. The Assembly took the ground that at least four hundred regular troops should be provided.

Before any action was taken, General Shirley, with the usual fate of an unsuccessful general, was temporarily superseded in command by General Abercrombie, until the arrival of the permanent commander.

In the mean time nothing was accomplished, or, in fact, attempted against the French, and thus the Indians, unrestrained by aggressive warfare against their allies, were left free to make their raids upon the colonial frontiers.

On the 13th of January, 1756, Governor Hardy sent a message to the Legislature, in regard to the protection of the frontier settlements in the counties of Ulster and Orange, and advised the building of a line of block houses at some distance from the settlements, extending from a place called Machackamock to the town of Rochester.

No definite action having been taken, he sent another communication to them on the 2d of March, informing them that "on Tuesday last (February 23d) about noon, a party, consisting of about thirty or forty Indians, attacked and burned the house of Philip Swartwout in Ulster County, murdered five of the people, took a woman prisoner, and destroyed the cattle, and that lately a man was killed by the Indians near Goshen." He earnestly recom-

mended the Assembly "to make provision for supporting a sufficient force to drive off the enemy, and pursue them even to their places of residence or retreat, and thus reduce them to the necessity of desiring peace."

The Legislature in March passed a bill, which was approved by the governor, April 1st, and intended to provide both for the expedition to Crown Point and the protection of the frontier borders of Ulster and Orange counties. It was entitled an "act for raising, paying and subsisting 1715 effective men, officers included, to be employed, in conjunction with the neighboring Colonies, on an expedition for reducing the French fort at Crown Point, and carrying on an offensive war against the Indians, who infest the Western frontiers of this colony, and for other purposes therein mentioned."

Messrs. Jacobus Bruyn and Charles Clinton in the months of April and May surveyed a road in the county of Ulster from Minisink to Rochester for the block-houses. They were guarded by a number of militia, under the command of Dirck Roosa, detached from the company commanded by Captain David Hays.

In 1756 the Indians made an attack upon the house of Rodger Blameless in Ulster County, and murdered him and his family. Ensign Matthew Rea, with a detachment of militia, was sent in pursuit of the marauders, but they escaped.

It was not until the 23d day of July, 1756, that Lord Loudoun arrived in New York, commissioned as commander-in-chief of his Majesty's forces in America. He at once assumed the command. War had now been formally declared between England and France. Although it had for two years and upward existed in America, there had been no formal declaration thereof until 1756.

The French had sent the Marquis de Montcalm as the commander-in-chief of their forces in America to succeed Dieskau, who was slain at the battle of Lake George. Montcalm was a man of very superior ability, active and energetic. The English general, Lord Loudoun, on the contrary, was entirely devoid of genius, and one of those characters who, always in a hurry and fussy, never make any progress.

The campaign of 1756 resulted disastrously to the English. The French reduced and demolished the English forts at Oswego. The garrison was surrendered to the French as prisoners of war, and a large amount of warlike stores of every description fell into the hands of the victors. The loss of that important military post caused great consternation throughout the English provinces.

Loudoun having so far attempted little and accomplished nothing, withdrew his troops into winter quarters.

Such want of activity, coupled with the disasters sustained by the English, encouraged the Indians to make raids upon the west-

ern frontiers of the provinces, and it became necessary to keep large bodies of men constantly on guard upon the western frontier of Ulster as well as the other border counties. Detachments were sent at different times from the different companies, and relief forwarded at short intervals, so that every company in the county was called upon more or less to aid in the performance of such duty.

The following are the names, so far as can be ascertained, of the officers commanding detachments, and detailed with their men to guard the frontiers and scour the woods of Ulster County in the year 1756. These men were called out at different periods and rendered unequal length of service :

Captains John Bevier, Jr., Jacob Rutsen De Witt, Samuel Crawford, Thomas Ellison, and Stephen Nottingham.

Lieutenants James McLaughry, James Humphrey, William Hall, William Faulkner, Noah Eltinge, Thomas Goldsmith, Hendrick Van Keuren, Benjamin Hoornbeek, James McNeal, and Isaac Decker.

Ensigns Adam Newkirk, Petrus Masten, Elias Depuy, John Dumond, and John Lefevre.

Sergeants Johannis Mele, Daniel Butterfield, John Thompson, Benjamin Klaarwater, William Crawford, and John Masten.

Corporals Jacobus Bush, Jacob Terwilliger, Daniel Brown, John Miller, Frederick Feckert, and John Wilken.

General Loudoun made preparations for a grand campaign in 1757, in which he expected to capture Louisburg, on Cape Breton, and conquer Canada. The colonies complied liberally with his demand for troops, so that on his departure for Halifax, *en route* for Louisburg, he left an army of six thousand men under General Webb for operations against the enemy. Sir Charles Hardy, the Governor of New York, being an admiral in the British navy, assumed the command of the fleet destined for Louisburg, and left the government of New York in the charge of Lieutenant-Governor De Lancey. Before reaching Louisburg it appears General Loudoun came to the conclusion that he could not capture that fortress with the forces he had with him, and at once abandoned the attempt.

The operations of General Webb in command of the forces left him by General Loudoun were not only disgraceful, but savored strongly of cowardice, if not something worse. He was at Fort Edward with a force of four thousand men. Colonel Munroe, another British officer, was at Fort William Henry, at the head of Lake George, fourteen miles distant, with three thousand men. The French general, Montcalm, finding that Louisburg was in no danger, turned his attention to Fort William Henry, and approached with a reported force of nine thousand men. Upon such

intention being discovered word was at once despatched from the army at the north to Albany, and the governor for re-enforcements, and Munroe called upon Webb, his superior officer, to re-enforce him.

When Montcalm arrived before the fort, he at once demanded its surrender. Munroe, notwithstanding the overwhelming forces opposed to him, refused, expecting, as he had a right to expect, re-enforcements from his commanding officer.

The siege and battle were begun, and continued for six days without interruption. Colonel Munroe transmitted daily, to his superior officer at Fort Edward, requests for re-enforcements. They were not forwarded. The troops under Webb, as well as the re-enforcements arriving at Fort Edward, urged and clamored to be sent, but Webb refused. Thus the large body of troops at Fort Edward were kept in idleness, while their comrades, almost within hail, were left to be butchered and murdered by the savages.

On the sixth day the Marquis de Montcalm renewed his demand upon Colonel Munroe for surrender, and accompanied it with a letter from Webb to Munroe, which he claimed to have intercepted. The letter from Webb advised Munroe to surrender. Munroe thus finding that there was no hope of any assistance from Fort Edward, and his ammunition being exhausted, was compelled to capitulate.

The terms of the capitulation were substantially as follows: the soldiers were to surrender their arms, march out with their baggage, with the honors of war, to Fort Edward, and be provided with a sufficient escort for their protection against the Indians, and they were not to serve against the French for eighteen months.

The escort provided was either inefficient or insufficient, and, perhaps, both; for as soon as the Indians saw the troops divested of their arms, and carrying their baggage, they at once rushed upon, robbed and murdered, or carried off, to a captivity worse than death, at least fifteen hundred men. The Indians of the garrison were all either killed at once or reserved for torture. The rest of the garrison escaped, some by refuge and concealment in the woods, and the rest with the escort. It is said that Montcalm was on the point of abandoning the siege when the intercepted letter came into his hand; he then renewed his demand for surrender, which resulted as above.

Such was the inglorious termination of the campaign of 1757, throwing discredit and dishonor upon the English. The provinces, the governmental officers, and their troops were anxious to do their duty, but, hampered by inefficiency, if not worse, in the commanding, haughty, self-sufficient Briton, they could do nothing.

As soon as advised that there was apprehension of danger at

Fort William Henry, Governor De Lancey at once ordered re-enforcements and troops to be despatched from the river counties, and they were forwarded with all possible speed. The following-named officers, many of them from Ulster County, went with their commands, proceeded as far as Fort Edward, and reported themselves for duty to the general in command, and remained there until discharged. Many of them had been forwarded on sloops from Kingston as far as the river could be used for that purpose.

Captains Thomas Allison, William Nealy, Johannis Newkirk, Jonathan Hasbrouck, Johannis Hardenbergh, William Borland, Jacob Hoonbeek, Stephen Nottingham, Evert Wynkoop, Cornelius Van Buren, Tobias Wynkoop, John Van Dusen, Josiah Eltinge, Arnout Velie, Henry Rosecrans, Isaac Delamater, Hendricus Hermans, Samuel Jackson, Francis Nebar, Robert Embree, Francis Brett, Daniel Burns, Cornelius Leyder, Thomas Smyth, David Marson, and James Smyth; Lieutenants Johannis Snyder, Jr., Wilhelmus Houghteling, John Brinckerhoff, Peter Du Bois, and Jacob W. Vrooman. Joseph Gasherie went as clerk of Colonel Hardenbergh's regiment.

Colonel Thomas Ellison, of New Windsor, on the 1st of November, 1757, wrote a communication in regard to some matters connected with the expedition from Ulster County for the relief of Fort William Henry, from which the following extracts are inserted:

“It is but too well known, by the late numerous murders, barbarously committed on our borders, that the county of Ulster and north end of Orange is become the only frontier part of the Province that is unguarded and exposed to the cruel incursions of the Indian enemy; and the inhabitants of those parts have been obliged to perform very hard military duty for these two years past in ranging the woods and guarding the frontiers—those two counties keeping out, almost constantly from fifty to an hundred men, sometimes by forced detachments, out of the Militia; and other times men in pay by voluntary subscription, nay oftener two hundred men, which has been an insupportable burden on the poor people and has drove all the young men out of the Country. And yet the whole of the Militia of these parts were ordered to March to Fort Edward, while the officers had no orders to leave a detachment to guard the frontiers. So orders were given for the whole to March. But one might as well have torn a man asunder, as to have compelled those who lived in the very outside houses to leave their wives and children to become a sacrifice to worse than wolves. However the generality of them marched, and that as soon as it was possible to get so scattered a people together. And I must say for the three hundred, who went out of the little distressed second

regiment of Ulster, that men never marched with more cheerfulness and resolution; and had not the wind proved unfavorable towards the end of their passage to Albany they would have been at fort Edward a day before Fort Wm. Henry surrendered. When the wind failed us every man labored at the oars, and when we arrived at Albany made no stay there. . . . But every one both officers and men packed their bundles on their backs, and the Colonel, though an old man and afflicted with Rheumatism, marched on foot with his musket on his shoulder at the head of his men; and waded through rivers crotch deep, and in two very hot days marched from Albany to Fort Edward, in less time I believe, than troops ever marched it before. Some of the men indeed dropped by the way, not being able to hold out, and in general all complained that the officers marched too hard for them. When we reached the camp opposite Fort Edward, we heard the melancholy news of the surrender of Fort William Henry, which could not but affect the spirits of every one. . . . When Sir Wm. Johnson informed them that an advanced party of the enemy lay between the two Forts, and desired such as had courage to fight to go voluntarily with him to rout them, the whole camp in less than an hour got under arms, and waded up to their middles in water through Hudson River to Fort Edward with all the life and courage imaginable. Scarce could any be persuaded to stay in the camp to take care of what was left there. No one examined into the probability of success, but placing confidence in the judgment of commanders they left that to them. The last of the Militia had not got well through the river before the attempt was thought too hazardous, whereupon we were ordered immediately back to our camp. . . .

“THOMAS ELLISON.”

The following officers, with detachments under their command, having been detailed by their commanding officers, were engaged more or less scouting and scouring along the western frontier of Ulster County during the year 1757:

Captain Matthew Ray, with his company of rangers.

Captain William Nealy and his company of rangers.

Captains Johannis Newkirk, Johannis Bruyn, Stephen Nottingham, Johannis Crispell, Cornelius Van Buren, Benjamin Low, and Jacobus Low.

Lieutenants William Faulkner, William Burr, Jacobus Depuy, Jr., and Abraham Deyo.

Ensigns Jacob Schoonmaker and Isaac Davis.

Sergeants Abraham Post, Joseph Decker, George Gallaspy, James Crawford, Thomas Simeral, Jacobus Osterhoudt, Lambert

Van Valkenburgh, Moses Read, Daniel Butterfield, George Booth, Petrus Schoonmaker, Jacob Giles, Joshua Conklin, Patrick Hogan, William Ellsworth, John Simpson, and Johannis Snyder.

Corporals Jacob Terwilliger and John Youngs.

Captain Porter, with his company of rangers, was detached to range and guard the frontier in December, 1757, and January and February, 1758, and Jacob Low, Johannis Freer, Philip Schoonmaker, Anthony Dumond, and Sylvanus Van Etten were detailed, and served as their guides.

About ten o'clock in the morning of October 12th, 1757, while Petrus Jans Saxe and two sons were on his farm, in the vicinity of what is now called Homowack in the town of Warwasing, a band of predatory Indians made a sudden attack on his house and family. There were three rangers stationed there at the time, two of whom, with one daughter, were killed before the doors of the dwelling could be closed. The remaining soldier, assisted by Saxe's wife and two daughters, made a good defence, and finally drove the savages off, when he conducted the women in safety to the residence of Charles Brodhead at Leuren Kill, which was used as a fort. The father and sons were absent on the farm at the time, and not injured.

The trustees of the corporation of Kingston at a meeting held by them on the 27th day of January, 1757, appointed one of their number, Cornelius Jansen, as a committee, to make arrangements for a convenient watch-house, which was done, and the house rented of Isaac Decker for use of the military. On the 18th day of October, 1757, they resolved to send ten men, at their own expense, to act as scouts and patrol the woods belonging to the corporation, to see if there were any hostile Indians or Frenchmen to be discovered, and to continue until further orders under the command of the colonel or next commanding officer of the regiment. The employment of the men and management of the business was intrusted to two of their number, Petrus Dumont and Edward Whitaker.

They further directed the purchase of one hundred pounds of powder, and lead in proportion, for the use of the corporation whenever it might be needed. On the 4th of November, 1757, they renewed their arrangement with Isaac Decker for the use of his house as a guard-house, he to furnish the same with fuel and candle-light for use of the soldiers.

The trustees having in November, 1754, sent to England for a fire-engine, the same was received in the spring of 1757, and at a meeting held in May, 1757, they agreed with William Eltinge to take care of the same, "and to clean and grease and keep the same in good order."

Adam Persen was on the 4th of November, 1757, authorized to procure fifteen hundred brick and fifteen hundred shingles for a block-house. On the 18th of November Adam Persen, Anthony Hoffman, and Johannis Snyder were appointed by the trustees to confer and consult with Captain Porter and his officers, who commanded the company of rangers appointed by the colonial authorities to range the colonial borders, as to their lodging, and in what manner they should be billeted and provided for. On the 21st of November, 1757, the trustees ordered that Conrad Crook, Conrad Joost, and Hendrick Myer be moved out of the house they live in to some other quarters at the expense of the trustees, until Captain Porter leaves with his command. And the trustees appointed Adam Persen and Anthony Hoffman as a committee to make needed repairs, provide household furniture, and other needed matters to the officers, as they might request, in the best manner they were able. They were also subsequently directed to provide the officers and soldiers with firewood. On the 14th of December, 1757, the trustees appointed Adam Swart and Cornelius Low a committee to procure and provide a house for a hospital, and to furnish it with necessary beds and bedding.

On the 22d of November, 1757, the trustees passed an ordinance, providing "that if any negro or mulatto slave or slaves shall be found in the streets of Kingston after 9 O'clock at night, without a lighted lantern, or an order from his or her master, that such slave or slaves shall be whipt, unless such master or mistress pay three shillings to save his or her back."

Fortunately for British success in America, the year 1758 witnessed a change in the English ministry. Pitt's star was in the ascendant, and that was the signal for more activity and talent, and less bluster in command of his Majesty's forces in the provinces. Lord Loudoun was at once superseded, and the provincial governments were assured that Great Britain would send naval and land forces sufficient for offensive measures against the French, and the conquest of Canada, together with necessary ammunition and supplies.

On the 24th day of March, 1758, the legislature of the province of New York passed a law entitled "an act for raising, paying, and clothing two thousand six hundred and eighty effective men, officers included, toward forming an army of twenty thousand men, with the forces of the neighboring colonies, to invade the French possessions in Canada in conjunction with a body of his Majesty's regular troops, and other purposes therein mentioned." The act designated the quota of Ulster to be two hundred and twenty-eight effective men.

Lord Loudoun's departure unfortunately left General Aber-

crombie as the senior or ranking officer in command in America. The British fleet, under Admiral Boscawen, arrived at Halifax early in the season with twelve thousand British troops under General Amherst, with General Wolfe second in command, but junior in rank to Abercrombie.

The campaign of 1758 opened with an army of fifty thousand men prepared for the invasion of Canada, of which twenty-two thousand were regular disciplined troops of Great Britain.

Generals Amherst and Wolfe, with their twelve thousand men, laid siege to Louisburg, and reduced it in the month of July.

The commanding general, Abercrombie, with seven thousand English regular troops and ten thousand provincials, undertook the capture of Ticonderoga and Crown Point. They passed through Lake George in boats, and then marched toward Fort Ticonderoga. The commander-in-chief undertook to take the place by assault and without cannon, but his forces were repulsed with great loss, and a retreat ordered, which was followed by a precipitate and disastrous flight. The loss of the English, in killed, wounded, and missing, was nearly two thousand.

Colonel Bradstreet, a provincial officer, procured from General Abercrombie his consent to attack Fort Frontenac on Lake Ontario. He was allowed three thousand troops for that purpose, including one hundred and thirty-five regulars and thirty royal artillery. The rest were all provincial troops, including one thousand one hundred and twelve from New York. The first detachment of New York troops was under Lieutenant-Colonel Charles Clinton, of Ulster County. The second was commanded by Lieutenant-Colonel Isaac Corse, of Queens County, which included the company commanded by Captain Ebenezer Sealy, of Ulster County.

Colonel Bradstreet proceeded, without any unnecessary delay, by the way of the Mohawk River, Wood Creek, the Oneida Lake, and Onondaga River to Oswego. He embarked on Lake Ontario in open boats, and landed within a mile of the fort on the 25th of August. On the 27th he opened his batteries, and the place was surrendered, containing a large number of cannon and mortars, and a great quantity of military stores, provisions, and merchandise. He then returned, leaving a garrison at the carrying-place, now Rome.

In November Fort Du Quesne surrendered to General Forbes, and its name was changed to Fort Pitt, in honor of the English premier. So that the campaign of 1758 closed with the triumph of the British and colonial arms in all the expeditions save that of the commander-in-chief against Ticonderoga.

On the 2d day of October, 1758, the trustees of Kingston made

arrangements and appointed a committee to build a block-house, 24 × 15 feet in size inside, on the frontier.

In the year 1758 Lieutenant Patrick Sutherland and his company were, under orders of the lieutenant-governor, posted in block-houses numbers one and two on the Ulster and Orange County frontier.

Sergeant Richard Johnson was detached with his command, guarding the provisions, to block-house number three.

The following-named officers, with their commands, were detailed scouring the western frontier of Ulster County in 1758, as follows : In March, Lieutenants Hendricus, Van Keuren, and James Kain.

In March and April, Captains Thomas Ellis, Joseph Draton, Ebenezer Gedney, Gilbert Draton, John N. Smith, Johannis Newkirk, James Fullon, Robert Livingston, Jr., and Frederick Kirke, Ensign John Brouk.

In May, Captains Andries Truax and Daniel Campbell, Lieutenants Johannis S. Freeman and Hendrick Hansen. Captain Peter Wagonen and his command were out on several expeditions during the year, but dates are unknown.

On the 16th of December, 1758, Governor De Lancey dissolved the Assembly for the reason that the time was so near when it must expire by the limitation of the septennial act, and as the orders in regard to the next campaign had not yet been received from England, the despatch of public business would be promoted by an immediate dissolution. The new Assembly convened on the 31st of January, 1759, and Abraham Hasbrouck and Jacobus Bruyn were returned as members from Ulster County.

General Amherst, for the campaign of 1759, succeeded the unfortunate Abercrombie as commander-in-chief, and to him, with twelve thousand troops, was assigned the capture of Ticonderoga and Crown Point. After their capture he was directed to proceed and join General Wolfe, who, with the fleet and eight thousand soldiers, was to ascend the St. Lawrence and attack Quebec. General Prideaux was assigned to proceed against Fort Niagara, and after its capture join the generals below. General Stanwix was assigned to protect the northern frontier.

On the 7th of March, 1759, the New York Legislature passed "an act for raising a supply of one hundred thousand pounds for levying, paying and clothing two thousand six hundred and eighty effective men, officers included, for forming with the forces of the neighboring colonies an army of twenty thousand men to invade, with a body of his Majesty's regular troops, the French possessions in Canada, and for emitting bills of credit for the like sum and for sinking and cancelling the said bills in short periods."

The several expeditions as planned were all successful, leaving at the end of the campaign Montreal alone of all the important

places in the hands of the French. Wolfe, without the assistance of any of the other generals, accomplished the capture of Quebec, but with the sacrifice of his life. After he received his fatal wound, he lived long enough to hear the victorious shouts—"They fly," "they fly." He asked, "Who fly?" On being answered, "The French," he said: "I die content," and almost instantly expired.

Montcalm, the French commander, was also mortally wounded. When he heard the British shouts of victory, and was told he could only survive a few hours, he replied in French: "So much the better; I shall not then live to see the surrender of Quebec."

The following-named officers, with the commands under them, detached principally from the companies under command, respectively, of Captains Smedes, Hasbrouck, Newkirk, Hardenbergh, Hays, Jonathan Sweet and Johannis Bevier, served on scouring expeditions at different times during the war, and most of them more or less every year, but particulars cannot be given. Johannis Roosa, Barent Roosa, Abraham Smedes, Hendrick Van Demark; Lieutenants Samuel Denton, Lewis Du Bois, Johannis Kraus, Jacob W. Vrooman, James Kain; Sergeants Abraham Terwilliger, Peter Mullendee, Isaac Fowler, Jelula Clark, Benjamin Constable, Benjamin Comfort, Benjamin Klaarwater, Cornelius Kool, George Burn, John Burn, John Barnes, James Galaspy, Sampson Sammons; Corporals Joseph Decker, Isaac Terwilliger, John McLean; Ensigns Cornelius Schoonmaker, James Clinton, Samuel Sands, Matthew Rae, David Craig, Nathan Hill.

Thus terminated the campaign of 1759, leaving Montreal the only post of importance in the hands of the French.

In the month of June, 1759, the governor was informed by the general commanding, that the service was in great distress for the want of money, and the incapacity of the contractor's agents to supply the same. He thereupon convened the Assembly to meet on the 26th of June. The Assembly met on that day, and in response to the recommendation of the governor, and the request of the commanding general, at once passed a bill entitled "An act for emitting bills of Credit of this Colony to the amount of £150,000 on loan, to enable his Majesty's General to discharge the debts contracted for the public service, in preparing to invade the French possessions in North America." These bills were made redeemable within twelve months after date, and emitted upon the credit of bills of exchange drawn by the deputy paymaster-general of his Majesty's forces in North America, upon the paymaster-general for the like sum. The law was perfected and signed by the governor on July 3d, 1759, and the house adjourned.

The Assembly was again called together on the 17th of October, 1759, when the governor informed them that he had called them together at that time as provision had only been made for the pay

of the provincial troops until the 1st of November, and the exigencies of the service demanded their continuance at least one month longer, and requesting the necessary provision for pay and supplies to that end. The house made the necessary provision and adjourned.

They were again convened on the 12th of March, 1760, and in obedience to the demands of the English ministry, passed a bill for "levying, paying, and clothing 2680 effective men, officers included, toward forming an army of 20,000 men with forces of the neighboring Colonies, to reduce in conjunction with his Majesty's regular forces, Montreal and other posts belonging to the French in Canada, and for emitting bills of credit for £60,000." This required a yearly assessment upon Ulster County of five hundred and seventy-five pounds for eight years.

On the 30th day of July, 1760, Lieutenant-Governor De Lancey expired very suddenly in his study at New York, seated in his chair. He was undoubtedly a man of talents and many virtues. He justly escaped all suspicion of enriching himself by misappropriating and embezzling the public funds, so freely charged, and in most cases truly, against nearly every English governor that preceded him. The English Government sought to prohibit the colonies from issuing bills of credit, without which the colony of New York never could have maintained the enormous war expenditures with which it had been burdened; he skilfully managed to evade the prohibition, as well as relieve them from the order against annual supplies.

Governor De Lancey was succeeded by Dr. Cadwallader Colden, a resident of Ulster County, who was the oldest member of the council.

The campaign of 1760 was under the command of General Amherst, as commander-in-chief. Marquis de Levis, the French commander, made an unsuccessful attempt to retake Quebec, and upon its failure retreated to Montreal. Monsieur Vandruiel, the French Governor-General of Canada, collected around him the entire French forces at that post to make his final stand against the English. The English general, Amherst, so arranged the expedition against Montreal, that his entire forces in three columns from different directions appeared before that city at the same time.

The French governor, thus surrounded by overwhelming forces, capitulated, and the English acquired the vast country of Canada. This, of course, relieved the colonists from their offensive and dangerous French neighbors, and the reign of peace followed to the colonists in this vicinity, although the Indians, fearing the ultimate triumph of the white man, sounded the warwhoop for several years in other portions of the frontier settlements.

CHAPTER X.

FROM THE DEATH OF LIEUTENANT-GOVERNOR DE LANCEY, IN 1760,
TO THE ADJOURNMENT OF THE CONTINENTAL CONVENTION, IN
1775.

CADWALLADER COLDEN, as senior member of the council, upon the death of Governor De Lancey, assumed the government of the province, and removed from his farm and residence in Ulster County, to the Government house in Fort George, in the city of New York.

The Assembly was convened by him on the 22d day of October, 1760. In his message to that body he referred in fitting terms to the death of the late Lieutenant-Governor De Lancey, and paid an appropriate tribute to his memory. Then, after congratulating the Assembly upon the result of the war, and the acquisition of Canada, he called its attention to some matters of necessary legislation.

The Assembly in its reply, after noticing the subjects referred to in the message, gave this palpable hit at the former action of the British Government in the surrender of Nova Scotia, after its conquest mainly by the colonists and at the expense of their blood and treasure.

“We cannot, on this memorable occasion, refrain from expressing the pleasure we feel in reflecting that, with the unanimous approbation of our constituents, we have neglected nothing, in our power, towards accomplishing this glorious event; so neither shall any consideration induce us to regret the blood and treasure expended in facilitating this inestimable acquisition, save only, to which we are confident, the wisdom and honor of the Nation will never deign to submit, the *surrender of this most important conquest*, which, in the possession of the Crown, must prove to Britain the source of immense riches.”

The House, after passing some few necessary laws, adjourned on the 8th of November, 1760. On account of the death of the king writs for the election of a new Assembly were issued, returnable the 3d day of March, 1761. Jacobus Bruyn and Abraham Hasbrouck were returned as members from Ulster County.

The Assembly was convened on the 11th of March, 1761. On

the 19th of October, of the same year, a commission arrived appointing General Monckton Governor of the province, and he assumed the office on the 26th of the same month. He remained only until the 15th of November, when he embarked with the British army for the island of Martinique, and left Lieutenant-Governor Colden in command.

As soon as the English Government was relieved from its war with France, and had, through the military and financial assistance of the colonies, added Canada to her colonial possessions, her ministry initiated a series of measures in regard to the colonies tending to create unnecessary and disturbing issues.

The New York Assembly was convened on the 3d of March, 1762. Lieutenant-Governor Colden, in his message at the opening of the Assembly, recommended to them to raise the same number of men as they had done the previous year, to be formed into regiments and employed in North America. He then proceeded as follows :

"I am, in obedience to his Majesty's command, likewise to recommend that you will provide for the raising of 479 men, . . . which number is the quota of this Province, . . . towards completing the *regular regiments* which have been sent to America for the defence and protection of his Majesty's subjects there."

To this request the Assembly, on the 13th of March, replied : "That the house of the General Assembly cannot, consistent with the trust reposed in them, provide for the levying of any regular forces ; it being a custom interwoven in the constitution of this colony, for the inhabitants thereof to provide for defending themselves only by their Militia, and to serve his Majesty, in all attacks on the enemy, by Provincial forces raised for a limited time."

Thus was that demand met with a proper and firm refusal.

The English officers of the navy apparently came to these shores with an exalted idea of their superiority over the provincials, and took frequent occasions to provoke and irritate. Notwithstanding the existence of an express prohibitory statute against the impressment of English subjects upon the English war vessels, the naval officers without hesitation, and at times to suit their convenience, impressed whom they chose, and compelled them to serve on board their vessels.

One officer, at least, in New York, was appropriately treated. He impressed four seamen, took and imprisoned them on board his ship, and refused to surrender them. The first time he came ashore with his boat, he was seized by a party of men who had watched their opportunity, and his boat was carried off upon their shoulders. He was compelled to sign an order for the release of the men he had imprisoned, which he did. That was soon carried

by some of the party to the vessel, the men were released, and brought in triumph to the land. The man-of-war boat served, with a number of tar-barrels, for a large bonfire on the plain where the City Hall now stands.

They also required boats, when passing any man of-war lying in the harbor, to salute, by lowering a flag or by some other mode. If that was neglected, their attention was called to it by a blank cartridge; if it was not then done, they were saluted by a shotted gun. A woman in New York harbor was killed by one of those balls, which was fired directly at the boat in which she was sitting. Upon complaint to the governor, all the satisfaction received was the information that he had no jurisdiction, as it was not on land, but in the harbor that the offence was committed, and the complaint must be made in England.

The English Government imposed heavy and almost prohibitory duties upon importations. This naturally gave rise to smuggling as the mode of evading their payment. The English officer placed to collect the duties, complained to the home government. This was followed by armed cruisers swarming along the coast. Informers were, of course, promised a valuable share in the profits of the seizure and forfeiture. There were few who dared enter the rôle of an informer, as they were very sure of enduring the penalty of one or more coats of tar and feathers, with the unconcealed contempt of their neighbors. The tendency of all this was to nurture, encourage, and increase estrangement and dislike on the part of the colonists toward his Majesty's government.

The requirement that all duties should be paid in specie had a most depressing and injurious effect upon the colonial finances and bills of credit. It at once depreciated the value of its bills of credit, and hampered the colony by drawing specie from the country in procuring the necessary means to make their redemptions as the bills of credit became due. Those bills had been issued to procure means to conduct the war against the Indians and the French for the peculiar benefit and advantage of the English Government.

The policy of the British Government had also a damaging effect upon the resources of the colonial mercantile interest in crippling its ability to make remittances to England, by cutting off its trade with the French and Spanish provinces. This was done in 1764 by the imposition of prohibitory duties upon articles imported from the West Indies. This trade had been the source of great profit to the colonial merchants for a long time, and had furnished them with a very large proportion of the specie transmitted to England.

About this time, March, 1764, William Smith, who was not long

after appointed chief-justice for New York under the king, wrote a letter touching upon political affairs to Horatio Gates, who was then in England, and referred to the condition of this country. In that letter occurs this remarkable prophetic passage: "We are a great garden; constant cultivation will keep down the weeds, but remember, they were planted by Liberty and Religion; near one hundred years ago, these are strong roots, they will soon despise the gardener's utmost strength." And so in time they did.

A gentleman residing in Ulster County, in the immediate neighborhood of Kingston, and a very prominent public man in his day, Charles De Witt, of Greenkill, referred to the great financial distress at that time in a private letter written by him to a friend, Jeremiah Day, under date of April 5th, 1765. He says: "Nothing but darkness, I cannot say Egyptian darkness, for the great source of light continues its wonted course, and nature once more, in all probability, will adorn this earth. . . . I mean the times, which are so bad, that I am often in doubt whether or no things will not return to their primitive frame; trade being so discouraging that I see nothing but destruction for many, who in all likelihood would do well in case those unheard of prohibitions to trade had never existed. Will not America tumble into confusion, I hope not, but it seems to me if it don't, some remarkable turn for the better will soon take place, either the one or the other, I am confident will inevitably happen. The wise dispensations of Providence are best, and therefore I trust that all things in the end will turn out for the best, although seemingly inconsistent with our present good. Melancholy times, when darkness is on every side, religion seems to have become a plaything to promote contention and discord."

The English Government, not content with the acquisition of the Canadas as a remuneration for the treasure spent by it in that behalf, and likewise regardless of the money and lives which had been sacrificed by the colonies to add that valuable jewel to the English crown, was determined to initiate a policy by which it expected to draw from its American colonies full indemnification for the expenses incurred by them in the French and Indian wars in America, including the conquest of Canada, in addition to an annual revenue for the support of royalty.

In order to accomplish this object, it made the great mistake to join issue with the colonies upon the question of "no taxation without representation." That, as has been shown in this history from time to time, was a principle which had been not only asserted and maintained by the fathers in the early history of the province, but at all subsequent intervals whenever it was assailed. If there was any principle of government in which the American

provincials were fully indoctrinated, and which lay as near, if not nearer to the heart than any other, it was that of "no taxation without representation." The English Government must have been well aware of this fact. But with all the pride of power, and a feeling of contempt for provincials, it determined to carry out its financial schemes regardless of all opposition. Its first direct attempt to raise the issue was the passage of the act of Parliament, in March, 1765, familiarly known as the Stamp Act, by which every legal proceeding, every deed, every bill of sale, every will, every receipt, every license, contract, or agreement of any and every description, required a stamp for its validity, and if not stamped it was declared absolutely void, and of no legal force or effect. As might have been anticipated, that met with universal condemnation and resistance throughout the entire provinces. It had no advocate except the king's officers, those whose duty it was to receive and sell the stamps. Such was the indignation and opposition of the people that the officials did not dare to receive the stamps, and much less offer them for sale.

This was the culminating point of taxation without representation. Imposition of duties they could avoid by non-use of the imported article. This could not be avoided, and submission to it was an abandonment of the whole question.

The law was to go into effect on the 1st of November, 1765. A congress of deputies from nine of the colonies met in New York, in October, 1765. The members from New York were Robert R. Livingston, John Cruger, Philip Livingston, William Bayard, and Leonard Lispenard. At this meeting an address to the king was adopted and signed on the 22d of October, which set forth in strong terms its opposition to the Stamp Act; that no taxes could be imposed upon them as English subjects without their consent; no taxation could be enforced against them without representation, and the attempt to do that by Parliament, through the Stamp Act, was a subversion of their rights and liberties.

The acts of this congress met with universal approbation throughout all the colonies. On the 6th of November a meeting was called of the citizens of New York, at which a committee of correspondence with the other colonies was appointed. One of the results of this appointment was the adoption of a measure of partial non-intercourse with Great Britain, by directing the English merchants not to ship goods to this country until the repeal of the Stamp Act, and the adoption of a resolution that after the 1st day of January, 1766, they would not sell on commission goods shipped by any English merchants.

In December, 1765, Sir Henry Moore arrived in New York with the royal commission as governor. In a few weeks after his ar-

rival there was brought an instalment of stamps. As soon as this was known, a party of citizens, armed, went at midnight to the wharf where the vessel lay, boarded and searched the brig until they found the ten boxes in which the stamps were contained, took possession of them, and removed them to the shipyards on the East River, where Catharine Street now is. There they made a bonfire of them with some tar-barrels, and after their entire consumption retired to their homes to rest.

Regardless of the acts of Parliament, matters progressed as usual in the courts and elsewhere in the transaction of all kinds of business without stamps, and no one dreamed of questioning the legality of such proceedings. If any one had attempted to set up the act in opposition, he would probably have been treated with an extra coat of tar and feathers. Marriage licenses were no longer called for, and those important contracts were formed and perfected without them.

The British Government, startled by the determined action of the colonies, found it the province of prudence to yield, and not attempt the enforcement of the act. It was therefore repealed in March, 1766. But this repeal was followed by a declaratory act of Parliament affirming their right to tax the colonies in all cases.

Sir Henry Moore, as governor, convened the Assembly on the 19th day of November, 1765. On the 9th day of December he sent a message to the Assembly, informing it that by an act of Parliament the respective colonies were required to bear the expense of furnishing the king's troops in America with quarters, carriages, and other necessaries. The act thus referred to by the governor was styled the "Mutiny Act," and applied to any troops the king might choose to quarter at any place within the colony. Already the number of troops had been increased in New York, ostensibly on account of the opposition to the Stamp Act, and more were expected, as General Gage, the commander-in-chief, made New York his headquarters.

On the 27th of June, 1766, the Assembly informed the governor that it would furnish the barracks of New York and Albany with bedding, firewood, candles, and utensils for cooking for two battalions, not exceeding five hundred men each, and would not do any more. This refusal to comply with the full requirements of the mutiny act occasioned great feeling in Parliament, and as a compulsory measure it passed an act prohibiting the Legislature of New York from passing any law until the mutiny act was complied with. The Assembly denied the authority of Parliament to suspend, abridge, or annul its powers; that it could only be interfered with through the action of the crown, by prorogation or dissolution. It further declared that it had the right to corre-

spond with citizens or representatives of the other colonies, and that a committee of its members should be appointed to correspond during recess with any of his Majesty's subjects.

This independent action of the New York Assembly was soon followed by the passage in Parliament, almost unanimously, and without any show of opposition, of an act introduced by Mr. Charles Townsend, the Chancellor of the Exchequer, imposing duties on tea, glass, paper, and painters' colors imported into the colonies from Great Britain. This action of Parliament had no other effect in the provinces than to increase the exasperation, and Parliament soon became convinced of the wisdom of its repeal ; but, in order that it might not be construed into an abandonment of the right to tax, Parliament, when repealing all the other duties, retained and continued a duty of threepence per pound upon tea, under the supposition that the tax was so light it would be overlooked. But the colonists saw the trap, and were determined not to abandon the principle at issue, however small the tax might be. The drinking of tea was at once abandoned, and those who had it on hand were not allowed to sell it.

Soon after the news of this threepenny tax was received at New York, it was ascertained that a vessel laden with a large amount of tea was on its way from England to that city. The citizens were determined to prevent its being landed, and concerted measures to that end. They watched for the arrival of the ship, and the pilots were notified not to bring it into the harbor, but to keep it outside. On its arrival the ship was boarded by a committee of citizens, and the captain was notified not to land. On being apprised of the state of public feeling in New York, he anchored his vessel near Sandy Hook, and came to the city to see the consignee. He declined to receive the tea, and advised the captain not to attempt to land it.

The lieutenant-governor proposed that it should be landed and stored in the fort until some arrangement could be made. To that the citizens strongly objected ; they would consent to nothing except its return or destruction, and the captain was compelled to take his cargo back to the place whence he came.

About the same time it was ascertained that a vessel had arrived having a few chests of tea on board. A committee at once visited the vessel, and asked the captain if he had any tea on board ; he said that he had not. They told him that they had satisfactory evidence that he had, and then they proceeded to search the vessel, and found eighteen boxes of the contraband article. The boxes were at once broken open and their contents emptied into the river.

Aside from the difficulties arising upon this question of prin-

ciple, bitter feelings were engendered between the citizens and the English forces, both military and naval, through the overbearing and contemptuous demeanor of the English officers and their commands. Collisions between the soldiery and citizens were not infrequent. Liberty poles erected by the citizens were cut down by the soldiers, occasioning broils and contention.

Officers upon English war-ships in the harbors required American vessels to lower their pennants as an acknowledgment of inferiority. If not done a blank shot was fired as a demand ; if that was not heeded, a cannon-ball was sent to enforce obedience. One affair of that kind in New York Harbor resulted in the death of a child in her nurse's arms on board a pleasure-boat.

In Providence River, a packet boat running from Newport to Providence was fired into for refusing or neglecting to lower its flag, and chased up the river until the British ship ran aground. That night some indignant Americans armed themselves, boarded and seized the vessel named the *Gaspé*, set the officers and men on shore, and burned the vessel to the water's edge.

The following incident connected with the burning of the *Gaspé*, which occurred to Admiral Montague, who commanded the British ships of war at Boston, when he was returning from a visit of inquiry into the destruction of the vessel, is strongly illustrative of the character and feelings of the Americans at that period. The admiral was on his return from Newport to Boston, with several of his officers, just after the burning of the schooner, when the progress of his coach, not far from Dedham, was obstructed by a charcoal cart. The coachman, feeling very consequential in driving a British admiral, and knowing that his master had an engagement to dine with Mr. B——, called out in a very insolent manner to the collier to turn out and make way for Admiral Montague. The collier replied that he was on the king's highway, and would not turn out for any one except the king himself, and thanked fortune that he had the law to support him. The admiral, perceiving there was an altercation, and discovering the cause, ordered his coachman to get down and give the man a thrashing ; but the coachman did not seem inclined to obey the order. One of the officers in the coach, a large, athletic man, alighted, reproached the coachman with being a coward, and was proceeding to take vengeance on the coal-driver, who, perceiving so formidable an adversary advancing, drew from his cart a stake, and placing himself between his oxen in an attitude of defence, said, " Well, I vow, if I must, darn me but I'll tarnish your laced jacket if you don't keep off." By this time the admiral and other officers had left the coach, and, finding that no laurels were to be gained in such a contest, the admiral made a conciliatory proposi-

tion and condescended to ask as a favor what he had ordered his coachman to obtain by force. "Ah!" said the collier, "now you behave like a gentleman, as you appear, and if you had been as civil at first, I vow I would have driven over the stone wall to *oblige you*. But I won't be drove; I vow I won't!" The coal-driver made way, and the admiral passed on.

The admiral, on relating the story at dinner with good humor, apparently much gratified at the independence of the man, was assured by his host that "the collier had exhibited the true character of the American People, and that the story was an epitome of the dispute between Great Britain and her colonies. Let the king *ask of us our aid*, and we will grant more than he will demand, but we will not be 'drove;' we will not be taxed by Parliament."

On the 6th day of February, 1768, the Assembly was dissolved by Governor Moore, and writs for a new election, returnable on the 22d day of March, 1768, issued. When the French, with their Indian allies, were endeavoring to overrun the country and snatch it from the English grasp, marking their course with firebrands, torture, and death, Ulster County gave, besides her full quota of men and officers to fill the ranks of the defending armies, the services of her distinguished son, Charles Clinton, to command a portion of her forces in the field. And now when the clouds of oppression and tyranny were gathering thick and fast in the horizon, and it became essential that the representatives of the people should not only be discreet, wise, and talented, but thoroughly imbued with the spirit of liberty and patriotism, the citizens of Ulster County, as if instilled with wisdom from on high, again drew upon that family, and selected one of her distinguished sons, George Clinton, with a fitting, able, and patriotic associate in the person of Charles De Witt, of Greenkill, to represent them in the coming Assembly. These men made their mark, and exhibited the wisdom of the choice of their constituents not only in their capacity as representatives at that time, but in all the subsequent distinguished positions they were called upon to occupy in the then near future.

That Assembly of 1768 proved too independent to suit the representative of royalty, and on the 2d day of January, 1769, the governor dissolved it and ordered a new election. In his message for dissolution, among other things, he said:

"The extraordinary nature of certain resolves, lately entered on your Journals, some flatly repugnant to the laws of Great Britain, and others with an apparent tendency to give offence, where common prudence would avoid it, have put it out of my power to continue this Assembly any longer."

Through the kindness of Sutherland De Witt, of Elmira, a descendant of the Hon. Charles De Witt, the author has been kindly furnished with copies of some old letters and documents, which in their proper order will be introduced into this work.

The following is one of them, directed to Charles De Witt and dated "Witts Mount Feb 1769." A part of the letter refers to the re-election of Mr. De Witt to the Assembly, and the other political portion refers to the election in Dutchess County which had not then taken place. The two persons specifically named as having votes, Hoffman and Elmendorf, owned real estate in that county, and could therefore vote therein :

"DR COUSIN CHARLES

"Your favor of the 30th Ult. I have received, but as our election is near at hand, which I expect will be the hottest that ever was in this county, makes upon that account time very scarce with me, so that I shall only give you a sort of general answer until more leisure time. I feel glad that you arrived safe home, after a long and tedious session, and that you found your little ones, with the rest of your family well. I am sorry for Mr Clinton's severe visitation, of which I have reason of a self feeling.

"I observed, that your friends would not discharge you : that you seemed to submit to their heavy burthen, and that your opinion was there should not be much stir concerning the same. But yesterday I was informed, that a resemblance of a Gunpowder plot was discovered on Tuesday evening last. But the more danger the more honor ; I hope you got clear with whole bones. I should be glad to know the event.

"Your solicitation to me, in favor of Judge Livingston, came too late to take effect on me. You had better use all possible means to discover and animate their friends in Ulster who have votes, as Anthony Hoffman, John Elmendorph, who else I know not, because I am almost a stranger to my native country, and my countrymen more so to me : I fear they shall be wanted, wherefore they should try to be at our election. At all events, I hope you will allow the Freeholders to give reasons, why Dirck and Leonard are not fit persons to represent the many thousands in this poor county, or else you will not like the enclosed address, which nevertheless I desire you will take the trouble to read, and after that with all possible speed, have it stuck up at the most public place in Kingston.

* * * * *

"Farewell : Affectionate Cousin

"P. DE WITT."

Ulster County stood by and sustained its able and patriotic representatives, Clinton and De Witt, by a triumphant re-election and return, notwithstanding the "Gunpowder plot" or Tory opposition referred to in the preceding letter. The new Assembly convened on the 4th day of April, 1769. The governor at that time succeeded in securing an Assembly with a majority of Tory representatives ready to sustain his administration and the demands of royalty. The Whigs, however, were represented by a powerful minority, including George Clinton and Charles De Witt, of Ulster, Colonel Philip Schuyler, of Albany, Colonel Nathaniel Woodhull, of Suffolk, Mr. Van Cortlandt, of Van Cortlandt Manor, John Thomas, of Westchester, Colonel Abraham Ten Broeck, of Rensselaer, Captain Seaman, of Queens, Colonel Philip Livingston, Mr. Nicoll, and Mr. Boorum. The Hon. Robert R. Livingston was elected and returned from Livingston Manor; but the Assembly, by a party vote, refused to allow him to sit because he held a commission as judge. His constituents returned him a second time; he appeared and demanded his seat, he was again rejected, and the Manor was left without any representation.

Chancellor Kent, in one of his productions referring to transactions of those bygone years, well said, "the leading patriots of that day were Colonel Schuyler, Colonel Woodhull, and Mr. Clinton."

The majority of that Assembly were entirely subservient to the dictates of royalty, and on the 28th of December, 1769, the Assembly, by a party vote, passed a bill appropriating two thousand pounds for furnishing his Majesty's troops with necessaries. The vote on its passage stood, affirmative, 12; negative, 10. It continued to make a similar appropriation from year to year for six years by the same party vote, to support troops kept in this country for the purpose of enslaving it.

That Assembly was the last one elected under the colonial Government. It met for the first time in the spring of 1769, and a majority being, as before stated, subservient to royalty, it was prorogued, and then again convened from time to time, to suit the convenience and wants of the governor, up to the 3d day of April, 1775. It then adjourned, and was thereafter prorogued from time to time, but never convened. It was finally dissolved by Governor Tryon, on the 2d day of January, 1776, after he had fled from the city of New York and taken refuge on board of an English man-of-war lying in the harbor.

The proceedings of the Assembly will be referred to occasionally as they become relevant.

In the winter of 1771, probably owing to the great discomforts felt in winter travel in those early years, the attendance of a quorum could not be obtained. This circumstance led to an in-

teresting letter from George Clinton to his associate, Mr. De Witt, dated March 8th, 1771, of which the following is a copy :

“DEAR CHARLES

“Don't you think it is highly derogatory to the honor, power and dignity of the Body of Representatives of the good people of this Colony, that a majority of their members should not attend, and a minority attend agreeable to adjournment, adjourn over from day to day for a whole week, then be prorogued for another week without being able to do any thing. This is the case, however, and while you think of it, tremble. You know you are one of the delinquents, and if the Lord had pleased, you would have been waited on by that tremendous man the *Sergeant at arms*. How foolish you would have looked to have been brought down neck and heels to have answered for your delinquency, and perhaps expelled from the *Unrighteous* forever doomed to live at home among *Honest* men in peace.

“But to be serious, the packet arrived on Saturday, brought no further news about war, but such as we formerly had pr via Boston, nor any other account that required sitting, so that on Monday we were prorogued to the Monday following, being the 11th ins't, not to meet however until the receipt of a circular letter. A confirmation, by the Packet of his Lordship's (Moore) appointment to the Dominion of Virginia, and Mr. Tryon for this Colony, by a letter from Lord Hillsborough. He is loth to leave us, and doubt not but he has interest enough to have the appointment changed and left to remain here, for which he has written home.

“The Packet also brought an account of the repeal of four of our laws, to wit, the act against non residents, the act extending the statutes, the fifty pounds and ten pound acts. For the last thing I am heartily sorry. The power of Justices is now reduced to forty shillings and under. You remember, I told them, I feared this might be the case, when I moved that a committee might be appointed to bring in a bill to amend and continue the £5 law. Kissam and others would have me alter my motion to a £10 law. I refused and gave for reason, it might occasion the loss of both perhaps, and then I would incur blame. That if they chose the £10 bill, they might make it so in the Committee, which they did, and if this has brought upon us the loss of the £5 law, they are welcome to the blame. Rather they, than me though, so much as I *love* them. However I believe there is a much better reason for the repeal of these laws, for the above would only operate as to the £10 act, and not as to the others. I believe the true cause is this, the majority of our house have carried their powers high,

in maturing laws by a resolve, and new modelling the whole system of the Laws. That they have at length alarmed the ministry, and Lords of Trade, and stirred up in them a spirit of distrust and enquiry, which has carried them back to look into our laws, and so reported all those that had any thing new in them, for the Royal disallowance. What confirms me in this opinion is old Colden's disgrace, who played in their hands, and the severe report, previous to the repeal of the act, disqualifying the Judges last year.

"Van Kleeck and Ja's De Lancey may now move to New York and keep their seats, though non residents, and there is some reason to suspect that the repeal of that law has been solicited. Jno. Watts says he always thought it a bad law, as abridging the freedom of elections, though he highly approved of it, when it passed the Council to deprive Col. Morris and Philip Livingston from sitting. Circumstances alter cases, it answered that purpose. It would now stand in the way of his tools.

"Adieu Charles My love to your family. My letter will show I am in haste

"Yours Most Affectionately

"G. W. CLINTON.

"P S. The regiments have to be completed, twenty men extra added to each company, and a company to each regiment."

England and the colonies were now fast drifting to a point where an appeal to arms could be the only remedy. A mine was being formed which needed only the smallest spark to explode. England, impatient and indignant at the opposition of the colonies, was determined to force them to submission. The colonies, on the other hand, raised their liberty poles and flung their motto to the breeze: "No taxation without representation."

The English ministry at first directed its avenging arm wholly against Boston, and by blockading her port with its ships of war, and a large army to act in concert, thought to starve her into submission, although New York had shown equal obstinacy. Boston had emptied a cargo of tea into the salt waters of the bay, but New York had prevented an English ship from landing her cargo of the contraband article, and turned her prow homeward with her cargo unladen. New Yorkers also had seized a number of chests of tea brought there in a vessel on private account, emptied it into the salt waters of her harbor, and made it desirable for the captain bringing it to escape to England on board the English tea-ship, to recount to sympathizing Englishmen his woes and misfortunes. There was evidently a policy in the English dealing thus gently with New York. Encouraged by a sympathizing governor and a Tory majority in the Assembly, the ministry supposed

that New York could be conciliated and the colonies thus divided. But her sons were not truly represented by the governor and the Tory representatives. The patriotic citizens of New York took the matter in hand independently, and appointed a large executive committee for action. They at once opened a correspondence with all the colonies, to procure an early Continental Congress of delegates from all the provinces, in order to create concert of action in this great emergency. Pursuant to such request delegates from all the colonies, except Georgia, met in convention at Philadelphia on the 5th day of September, 1774.

It was truly a fitting congress for such an important occasion. It was composed of sterling, firm, talented, and patriotic men—the great men of the country—men who subsequently took prominent and distinguished parts in the struggle for independence, in laying the corner-stone of the republic, and raising and completing the structure—such men as the Great and All-Wise overruling Providence ever has in store, and brings forth for great emergencies to accomplish some great and beneficent purpose.

The action of that Continental Congress called for such confirmatory action not only on the part of the several provinces, but also of the inhabitants of the various townships, that a history of Kingston requires a statement of some of the important proceedings of that body, to show the action of this old town under its direction. The limits of this work do not justify the insertion of the entire declaration of rights and articles of association issued by that Congress. They deserve a place alongside of the Declaration of Independence in every household. The author is compelled to limit himself to a few extracts.

On the 14th day of October, 1774, after several preambles reciting the grievances of the colonies and the unjust claims and despotic action of the English Government, Congress declared :

“That the inhabitants of the English Colonies in North America, by the immutable laws of nature the principles of the English Constitution, and the several charters and compacts have the following rights :

* * * * *

“Resolved 4th That the foundation of English Liberty, and of all free Governments is a right in the People to participate in their Legislative Council, and as the English colonists are not represented, and from their local and other circumstances cannot be properly represented in the British parliament, they are entitled to a free and exclusive power of legislation in their several Provincial Legislatures, where their right of representation can alone be preserved in all cases of taxation, and internal polity, subject only to

the negative of their sovereign, in such manner as has been heretofore used and accustomed. But from the necessity of the case, and a regard to the mutual interests of both countries, we cheerfully consent to the operation of such acts of the British parliament, as are bona fide restrained to the regulation of our external commerce, for the purpose of securing the commercial advantages of the whole empire to the mother country, and the commercial benefits of its respective members; excluding every idea of taxation, internal or external, for raising a revenue on the subjects of America without their consent."

After several other resolves, the Congress refer to several acts of Parliament as "infringements and violations of the rights of the Colonists, and that the repeal of them is essentially necessary in order to restore harmony between Great Britain and the American Colonies."

On the 20th of October, 1774, the Congress adopted a plan of association in which, after some recitals, it was stated that "various acts of Parliament have been passed for raising a revenue in America,—for depriving the American subjects in many instances of the constitutional right of trial by Jury,—exposing their lives to danger by directing a new and illegal trial beyond the seas, for crimes alleged to have been committed in America. And in the prosecution of the same system several late cruel and oppressive acts have been passed respecting the town of Boston and the Massachusetts Bay, and also an act for extending the Province of Quebec, so as to border on the Western frontier of these Colonies, and establishing an arbitrary government therein. . . .

"To obtain redress for these grievances, which threaten destruction to the lives liberty, and property of his Majestys subjects in North America.

* * * * *

"We do for ourselves and for the inhabitants of the several Colonies whom we represent, firmly agree and associate under the sacred ties of virtue Honour and Love of our country, as follows

"1. That from and after the first day of December next, we will not import into British America, from Great Britain or Ireland, any Goods, Wares or Merchandise whatsoever, or from any other place, any such goods, wares, or merchandises as shall have been exported from Great Britain or Ireland; nor will we, after that day, import any East India tea from any part of the world; nor any Molasses, Syrups, Paneles, Coffee or Piment from the British Plantations or from Dominica, nor Wines from the Madeira, or the Western Islands; nor foreign Indigo."

* * * * *

"3 As a non consumptive agreement, strictly adhered to, will

be an effectual security for the observation of non importation, we as above solemnly agree and associate that from this day we will not purchase or use any tea imported on account of the East India Company, or any on which a duty has been or shall be paid ; and from and after the first day of March next, we will not purchase or use any East India Tea whatsoever."

The author inserts here out of its order a resolve of said Congress, which exhibits the sentiments of the colonies on the subject of slavery and the slave trade forced upon them by the governing countries.

"2. That we will neither import nor purchase, any slave imported, after the first day of December next ; after which time we will wholly discontinue the slave trade, and will neither be concerned in it ourselves, nor will we hire our vessels, nor sell our commodities or manufactures to those who are concerned in it."

After passing several other resolutions for the purpose of giving full effect to the previous ones, the Congress adopted the following :

"11. That a committee be chosen, in every city county and town, by those who are qualified to vote for Representatives in the Legislature, whose business it shall be attentively to observe the conduct of all persons touching this association." Then after providing that any person violating should be reported, and name published in the *Gazette*, declared "and thenceforth we will respectively break off all dealings with him or her."

"14. And we do further agree and resolve, that we will have no trade, commerce, dealings or intercourse whatsoever with any Colony or Province in North America, which shall not accede to, or which shall hereafter violate this association, but will hold them as unworthy the rights of Freemen and as inimical to the liberties of this country.

"And we do solemnly bind ourselves and our constituents under the ties aforesaid, until such parts of the several acts of Parliament (specifically naming all the obnoxious acts) are repealed." . . .

At the end of these resolves and declarations follow the signatures of all the delegates.

The Congress also adopted and issued lengthy addresses to the people of Great Britain, to the king, and to the colonial residents, as well as others. In the address to the people of Great Britain, is this significant passage :

"But if you are determined that your ministers shall wantonly sport with the rights of mankind ; if neither the voice of Justice, the dictates of the law, the principles of the Constitution, or the suggestions of humanity, can restrain your hands from shedding human blood in such an impious cause, we must then tell you, that

we will never submit to be hewers of wood or drawers of water for any ministry or nation in the world." *

There were no delegates from Georgia in attendance at that Congress. But the Georgia Provincial Congress, on the 6th day of July, 1775, unanimously

"Resolved 1. That this Province will adopt and carry into execution, all and singular the measures and recommendations of the late Continental Congress. 2. In particular that we, in behalf of ourselves and our constituents, do adopt and approve of the American declaration or bill of rights, published by the late Continental Congress, and also of their several resolves made in consequence of some infractions thereof." The resolves passed by them were sixteen in number, and sustain the Continental Congress in every particular.

Thus were all the colonies brought into line, and nobly did they afterward sustain one another in the then rapidly approaching conflict.

At a session of the Assembly held on the 26th day of January, 1775, Colonel Ten Broeck moved that the House take into consideration the proceedings of the Continental Congress held in the city of Philadelphia in the months of September and October, 1774. The Assembly, by a vote of 11 to 10, refused to consider it. This vote was, substantially, that the sense of the House should not be taken upon the measures of Congress.

A letter written by a New York gentleman to a resident of Boston, dated January 27th, 1775, contains the following comment upon the preceding vote: "In short sir, no virtuous or spirited act could be expected from a house, which had by its votes, violated the right of election, suspended the Habeas Corpus Act, deprived the subject of his right of trial by Jury, and provided support six years for troops kept here for the express purpose of enslaving America. Although they are the legal they are not the true representatives of the People."

Such being the character of a majority of the New York Assembly at that time, sycophants of royalty, and sympathizing with Lieutenant-Governor Colden in his Tory proclivities, as might have been expected, a resolution offered in that body on the 17th of February, 1775, approving the action of the New York delegates to the Continental Congress, was rejected by a vote of 16 to 9, and likewise a resolution for the appointment of delegates to another Continental Convention was, on the 23d of February, also rejected by a like vote. To the honor of Ulster County it can be said that

* These stirring words are understood to have been written by one of New York's favorite sons, John Jay.

it was not misrepresented in that Assembly ; its delegates, George Clinton and Charles De Witt, were numbered with that patriotic minority, and stood up firmly for the right.

By the action of the majority of the Assembly as above, the people were left to take the matter in their own hands, and so they did, determinedly and wisely, as will be noticed in the sequel.

The following extract from a letter dated March 13th, 1775, written in London to a gentleman in Philadelphia, shows the importance which was attached by the English ministry to the action of the New York Assembly, and the manœuvring for its control :

“ The ministry are sensible of and declare the dangers and difficulties of their undertaking. But they are encouraged to the attempt by a firm persuasion of success in corrupting New York and intimidating New England.

* * * * *

“ They have therefore despatched emissaries to exert every effort of corruption ; thus by bribery and places for individuals, endowments for the college, and the establishment of Royal docks arsenals etc in the city,” they seek to accomplish their purpose.

CHAPTER XI.

FROM JANUARY, 1775, TO THE DECLARATION OF INDEPENDENCE,
JULY, 1776.

JOHN HOLT, in 1766, established the New York *Journal* or *General Advertiser* in the city of New York. In 1774 he discarded the king's arms from the head of his paper, and substituted an emblem and motto extremely appropriate for the then disjointed state of this country. It was a serpent cut in pieces, with the expressive motto, "*Unite or die.*" In 1775, after concerted action had been initiated in the colonies, another emblem, equally expressive, was substituted. The snake was united and coiled, with the tail in its mouth, forming a double ring. On the body of the snake, beginning at the head, were the following lines :

" United now, alive and free,
Firm on this basis Liberty shall stand,
And thus supported ever bless our land,
Till time becomes eternity."

The first emblem most expressive of weakness, the second of strength.

After the British took possession of New York, Holt removed first to Fishkill, and subsequently to Kingston, and then continued the publication of his paper at that place, until driven away by the British incendiary torch. His paper was the first newspaper published in the county of Ulster. From Kingston he went to Poughkeepsie, and continued there until the conclusion of peace and evacuation of New York by the British, when he returned to New York.

As will be noticed in this chapter, nearly the entire population of Kingston (and the same may be said of the whole county) entered determinedly and enthusiastically into the support of the action of the Continental and Provincial Congresses. Malcontents, indeed, existed, but they were in a small minority.

Meetings in support of the Congressional action were held in different sections of the county, of which a summary will be given. The following is a copy of the official record of the proceedings of a joint meeting of the freeholders of several towns as specified :

At a meeting of a great number of the most respectable freeholders of the towns of Kingston, Hurley, Marbletown, Rochester, and New Paltz, held in the town of Hurley, Ulster County, N. Y., on Friday, the 6th day of January, 1775, Colonel Johannis Hardenbergh, Captain John Elmendorf, Adrian Wynkoop, Matthew Cantine, Johannis G. Hardenbergh, and Jacob Hasbrouck, Jr., were appointed a committee to draw resolutions expressive of the sense of the meeting, and reported the following :

“Resolved first that it is the opinion of this meeting, that we most heartily approve of the association, and acquiesce in all the other measures entered into by the late General Congress, and we will use every means in our power to render them effectual ; and that it be recommended to the several towns and Precincts within this county, to choose committees to see the same faithfully observed and carried into execution.

“A certain Pamphlet entitled ‘Free thoughts on the Resolves of the Congress’ etc under the signature of A. W. Farmer, dated November 16 1774, being produced and publicly read, it was,

“Resolved secondly, That it is replete with falsehoods, artfully calculated to impose upon the illiterate and unthinking ; to frustrate the Resolves of Congress and to destroy that Union, so necessary for the preservation of our constitutional liberty : therefore

“Resolved, thirdly ; That the said pamphlet, in detestation and abhorrence of such infamous publications, be now burnt ; and that the authors, publishers, and circulators of such performances, be henceforth deemed the enemies of their country.

“Resolved fourthly that the chairman transmit copies of the above resolves to the committees of correspondence for the several towns and Precincts within this county.

“Which Resolves being read and unanimously approved, the above named Pamphlet was burnt accordingly.”

Similar meetings were held, similar action taken and resolves passed in many of the other towns in the county, showing that the people were fully roused to their situation, and determined to resist the encroachments and demands of tyranny at any sacrifice.

At a meeting of the inhabitants of the town of Kingston, Ulster County, Oke Sudam, John Beekman, Johannis Perse, Johannes Slecht, Hendrick Schoonmaker, Christian Fiero, and Egbert Schoonmaker were appointed a committee of observation, agreeable to, and for the purpose mentioned in the eleventh article of the association of the Continental Congress. Johannes Slecht was subsequently appointed chairman.

On the 7th of April, 1775, that committee having been informed “that the merchants and venders of *East India tea* had entered into an association not to sell any *East India Tea*, and that if

any person or persons should be guilty of selling or vending any of that commodity, that they should be published in the publick newspapers as enemies to the liberties and privileges of American subjects ; which articles were signed by all the merchants and skippers, who were possessed of any East India tea (Mr Jacobus Low excepted), who notwithstanding all the friendly admonitions and entreaties to the contrary, declared he had and would sell tea ; Upon which information this committee resolved to send for Mr Low, thinking that time and mature deliberation, together with their friendly advice, might be able to alter Mr Low's determination ; but all in vain ; for he declared he was determined to sell tea as formerly he had done, and absolutely refused to comply with the articles agreed to by the other merchants and skippers in said town.

" We therefore, in faithfulness to the Trust reposed in us, and agreeable to the recommendation of the congress, do publish, and he, the said Jacobus Low is hereby published, as an enemy to the rights and liberties of America ; and we do hereby declare, that we will henceforth abstain from (and recommend it to others to abstain from) all kind of connections and commerce with him, until such time as a change in his conduct shall induce us to alter our determination.

" Signed by order of the committee.

" JOHANNES SLEIGHT, *Chairman.*"

On the 6th of June, 1775, Jacobus Low addressed the Kingston committee by letter, as follows : " Whereas there is a dispute now subsisting between me and you, and considering that unanimity is necessary for the preservation of our rights and liberties at this critical juncture, the welfare of individuals, and for my own interest in particular, I do most earnestly request, if it be possible that we may come to an amicable reconciliation by the following concessions ;

" *First* that I am very sorry so great a misunderstanding has so long subsisted between us, respecting the difference in opinion of the resolves of the Continental Congress. Secondly I earnestly entreat, that the gentlemen of the committee will forgive me all the offences and transgressions, wherein I have offended and injured them in their respective reputations or characters, either in their publick or private capacities."

The town committee, on the same day, held a meeting and " certified to all whom it may concern, that Mr Jacobus Low personally appeared before us, and did make all such reasonable satisfaction (by publick concession) as was required relative to his former conduct, and we recommend to the publick that from hence-

forth he may again be received as a friend to the liberties and privileges of British America."

The New York Provincial Assembly having rejected a motion made for the appointment of delegates to the Continental Congress, the people assumed and took the matter in their own hands. Determined not to be controlled by the sycophants of royalty, the people of this province, by delegates, met in their respective precincts, and appointed representatives to meet in convention in the city of New York, and appoint delegates to represent this province in the Continental Congress. At a convention of the several towns in Ulster County, Charles De Witt, George Clinton, and Levi Pawling were unanimously selected as delegates from Ulster, to represent its inhabitants in such provincial convention.

This action of the Ulster County Convention was formally protested against by three Ulster County Tories, Cadwallader Colden, Jr., Peter Dubois, and Walter Dubois, in a lengthy document, in which, among other matters, they alleged "that the election of delegates to meet, either in Provincial or Continental Congress, is unwarranted by law, unknown to the British Constitution, repugnant to the genius and spirit thereof, has a direct tendency to sap, undermine and destroy the most excellent English Constitution, and introduce a Republican government, widen the breach between this country and the parent government and bring on the country all the calamities of an unnatural civil war. They do therefore publicly protest against the same, and any Provincial Conventions that may meet in the city of New York or elsewhere in the Province; and will not pay any obedience to their resolutions or mandates; but as faithful subjects, of a most excellent King, pay obedience only to the good and wholesome laws of the land."

On the 19th day of April, 1775, occurred the memorable battle of Lexington, which was commenced by a regiment of British troops firing into a company of militia, who were exercising in military drill without any ammunition. The heroic English thus, with all the paraphernalia of war, murdered eight defenceless men and wounded others.

As expressed in a letter of that date from Boston: "This alarmed the country, so that it seemed as if men came down from the clouds," and the British troops were in turn attacked, defeated, and driven to their boats by despised, undisciplined colonists. It did not end there. The news of that battle was spread throughout the whole country by express riders travelling night and day, with relays of horses provided at every convenient distance.

The effect in New York is described by Lieutenant-Governor Colden, a British sympathizer, in his proclamation of the 1st of May, 1775, proroguing the Assembly, as follows:

“Astonished by accounts of acts of hostility, in the moment of the expectation of terms of reconciliation, and now filled with distrust, the Inhabitants of the city burst through all restraint on the arrival of the intelligence from Boston, and instantly emptied the vessels laden with provisions for that place, and then seized the city arms, and in the course of a few days distributed them among the multitude, formed themselves into companies, and trained openly on the streets ; increased the number and power of the committee before appointed, to execute the association of the Continental Congress ; convened themselves by beat of drum, for popular resolutions ; have taken the keys of the Custom House by military force ; shut up the port ; drawn a number of small cannon into the country ; called all parts of the Colony to a Provincial Convention ; chosen twenty delegates for this city ; formed an association now signing by all ranks, engaging submission to Committees and Congresses, in firm union with the rest of the Continent, and openly avow a resolution, not only to resist the acts of Parliament complained of as grievances, but to withhold succours of all kinds from the troops, and to repel every species of force, whenever it may be exerted, for enforcing the taxing claims of parliament at the risk of their lives and fortunes.”

The New York Provincial Convention met in the city of New York on the 20th day of April, 1775, and on the next day, by resolution, expressed their full approbation of the conduct of the delegates from the province of New York, who attended the preceding Continental Congress ; and, as a mark of the confidence reposed in them, unanimously re-elected all of them except two, who declined to serve, and added five more to their number, including George Clinton, of Ulster.

The Congress then adjourned without transacting any further business.

The New York committee at once, and on the 28th of April, 1775, issued a call for another Provincial Congress to meet on the 22d day of May. On the 11th day of May Ulster County responded to that call, and by committees for the several towns and precincts unanimously appointed Colonel Johannis Hardenbergh, Colonel James Clinton, Egbert Dumont, Dr. Charles Clinton, Christopher Tappen, John Nicholson, and Jacob Hoornbeek, deputies for said county to said Provincial Convention, to be held at the city of New York on the 22d day of May, or at such other time and place as may be agreed on, “in order to adopt, and endeavor to carry into execution, whatever measures may be recommended by the Continental Congress, or Resolved upon by our Provincial Convention, for the purpose of preserving our Constitution, and opposing the execution of the several arbitrary and oppressive acts

of the British Parliament, until a reconciliation between Great Britain and America on constitutional principles can be obtained, with such further power to declare the sense of this country, relative to the grievances and oppression under which his majesty's American subjects now groan, and to concert such measures as may tend to the preservation of the rights and liberties of America."

The deputies were further directed, when met in convention, "to move that a day be set apart for public fasting and prayer, throughout the Colony, to implore the Divine aid in restoring a happy reconciliation between the mother country and her American Colonies."

The Provincial Congress met on the 22d day of May, 1775, and on the 29th of May the Congress "Resolved That it be, and is hereby recommended to all the counties in this colony, (who have not already done it), to appoint County Committees and also subcommittees for their respective townships, precincts and districts, without delay, in order to carry into execution the resolutions of the Continental, and this Provincial Congress.

"And that it is also recommended to every inhabitant of this colony, who has hitherto neglected to sign the General Association, to do it with all convenient speed. And for these purposes that the committees in the respective counties do tender the said association to every inhabitant within the several districts in each county. . . . And that the said committees and persons respectively do return the said association, and the names of those who shall refuse or neglect to sign the same, to this Congress, by the fifteenth day of July next or sooner if possible."

The one for Ulster County was in the following form :

"A general association agreed to and subscribed by the freeholders and inhabitants of the county of Ulster and province of New York.

"Persuaded that the salvation of the rights and liberties of America depends, under God, on the firm union of its inhabitants, in a vigorous prosecution of the measures necessary for its safety, and convinced of the necessity of preventing the anarchy and confusion which attend a dissolution of the powers of Government ; we the Freemen, Freeholders, and Inhabitants of the county of Ulster, being greatly alarmed at the avowed design of the ministry to raise a revenue in America and shocked by the bloody scene now acting in the Massachusetts Bay, Do, in the most solemn manner, resolve never to become slaves, and do associate under all the ties of Religion, Honour, and Love to our Country, to adopt, and endeavor to carry into execution, whatever measures may be recommended by the Continental Congress, or resolved upon by the Provincial Congress, for the purpose of preserving our Consti-

tution, and opposing the execution of the several arbitrary and oppressive acts of the British Parliament, until a reconciliation between Great Britain and America, on constitutional principles, can be obtained. And that we will, in all things, follow the advice of our respective Committees, respecting the purposes aforesaid, the preservation of Peace and good order, and the safety of individuals and private property.”

Articles of association as above were transmitted to the convention from the several towns and precincts in the county, bearing the signatures of nearly all the male inhabitants and only a few refusals were recorded. The one circulated in the town of Kingston bore five hundred and sixty-five signatures, with thirty-three refusals recorded. A full copy of the return from Kingston, with the names of signers and refusals attached, will be found in the Appendix. For the convenience of the reader, and to facilitate the search for particular names, the signatures have been arranged in alphabetical order, which is not the case in the original. In other respects, it is a true copy.

The Continental Congress in deliberating upon the conduct of the war, which was now fully inaugurated, concluded it would be a wise stroke of policy to make the contest in a measure aggressive on their part, and not continue it wholly on the defensive. At that time Canada was in a poor situation to resist an invading army, as many of her citizens were favorably inclined to the colonies, and a large portion of her population being of French descent, were consequently supposed not to entertain any particular partiality for Great Britain. The English garrisons within her borders had been greatly weakened and depleted by transfers made to Boston. The time was therefore considered auspicious for the invasion.

It was also well understood that General Carlton, the English Governor of Canada, was a man of great energy and force, and was greatly distinguished as a military officer, and that he was diligently exerting all his powers to stir up not only the Canadians, but the Indians as well, in hostility to the Americans, and neither gold nor promises were spared to attain this object. It was therefore considered that if the invasion should be postponed for another year, the prejudicial seeds of Carlton's sowing might take root, and besides, England would by that time have placed the country in a perfect state of defence, and in condition to be used as a base from which to attack the colonies in the rear.

The Continental Congress, therefore, determined on an immediate invasion of the Canadas, and called upon the province of New York to furnish four regiments of troops, to be enlisted in the Continental service for the term of six months, to constitute a part

of the invading forces. Measures were at once taken to comply with the requirements, and the regiments were soon enlisted.

The Provincial Congress then, by resolution, on the 30th day of June, 1775, fixed the order and relative rank of the several New York regiments, and appointed a committee to determine the rank and order of the captains and inferior officers of the several companies composing the respective regiments.

The order and relative rank of the several regiments, and also of the captains and inferior officers of the Ulster County regiment, were settled and arranged, as follows :

FIRST New York Regiment, Alexander McDougall, Colonel ; Rudolphus Ritzema, Lieutenant-Colonel ; Herman Zedtz-witz, Major.

SECOND Albany Regiment, Goose Van Schaick, Colonel ; Peter Yates, Lieutenant-Colonel ; Peter Gansevoort, Jr., Major.

THIRD (Ulster Regiment), James Clinton, Colonel ; Cornelius D. Wynkoop, Lieutenant-Colonel ; Henry Livingston, Jr., Major ; George L. Schruter, Adjutant ; James Hamilton, Quartermaster.

FOURTH, James Holmes, Colonel ; Philip Van Cortlandt, Lieutenant-Colonel ; Barnabas Tuthill, Major ; Job Mulford, Adjutant ; Benjamin Chapman, Quartermaster.

The Third or Ulster County Regiment, as it was called, was enlisted in Ulster and Orange counties, and was composed of ten companies, arranged and officered as follows :

FIRST Company, Daniel Griffen, Captain ; Benjamin Marvin, First Lieutenant ; Nathaniel Horton, Second Lieutenant.

SECOND Company, John Nicholson, Captain ; David Du Bois, First Lieutenant ; James Grieg, Second Lieutenant.

THIRD Company, John Hulbert, Captain ; John Davis, First Lieutenant ; William Havner, Second Lieutenant.

FOURTH Company, Lewis Du Bois, Captain ; Elias Van Benschoten, Jr., First Lieutenant, and Andrew T. Lawrence, Second Lieutenant.

FIFTH Company, John Grinnell, Captain ; Samuel Smith, First Lieutenant ; Alexander Ketchem, Second Lieutenant.

SIXTH Company, Andrew Billings, Captain ; Ezekiel Cooper, First Lieutenant ; John Langdon, Second Lieutenant.

SEVENTH Company, Jacobus Bruyn, Captain ; Thomas De Witt, First Lieutenant ; Albert Pawling, Second Lieutenant.

EIGHTH Company, Daniel Denton, Captain ; Balthazar Dehart, First Lieutenant ; George Hamilton Jackson, Second Lieutenant.

NINTH Company, Elias Hasbrouck, Captain ; Cornelius T. Jansen, First Lieutenant ; Petrus Roggen, Second Lieutenant.

TENTH Company, Robert Johnson, Captain ; Philip Du Bois Bevier, First Lieutenant ; William Martin, Second Lieutenant. Samuel Cooke, Surgeon ; John Stephenson, Mate.

These regiments were well armed and equipped, and each had its own peculiar uniform. The uniform of the Third or Ulster Regiment consisted of a gray coat with green cuffs and facings. The waistcoat was of Russia drilling, long, and reaching to the hips ; the breeches were also of drilling and short to the knee ; the stockings were long, reaching to the knee, were woollen, and of home knitting ; the shoes were low ; they wore linen cravats, and a low-crowned felt hat with a very broad brim. The regiments were distinguished from each other by the color of the coat and facings.

On the 11th day of August, the Provincial Congress passed a resolution directing Colonels McDougall, Clinton, and Holmes, respectively, to march to Albany with all convenient speed, with their respective commands, and there await the directions of their general officer or officers.

The aforesaid regiments were brigaded under General Montgomery, and were with him in all his movements, and were following him to the assault at Quebec, when he fell mortally wounded. The New York regiments continued there until the expiration of the term of their enlistment, enduring the terrible trials and hardships of a winter campaign in that severe latitude. About the time the term of their enlistment expired, an effort was made to have them re-enlist, but most of them declined to do so. Out of the entire brigade, only a sufficient number re-enlisted to form a single regiment.

Most of the officers, on their return home, continued in the service of their country with other commands, and many of them received well-earned promotion, as will appear in subsequent parts of this narrative.

On the 8th day of July, 1775, the Provincial Congress, after transacting the particular business that was pressing before them, determined to take a recess for a fortnight. In order that nothing essential for the public weal should be neglected, they appointed a committee to sit and act during the recess, with comprehensive powers equal almost to their own, and it was styled the "Committee of Safety." It consisted of three members from the city of New York, and one member from each of the other counties—New York to have two votes, and the other counties each one vote. Such other members of the Congress as might be in attendance might join in the vote of their respective counties, or give such vote in the absence of the member appointed. Such practice was continued in subsequent Congresses and conventions of New York,

until the adoption of the Constitution, so that there was no interregnum in executive power, although there was no governor.

The resolution of the Congress in regard to the powers of the committee, was as follows: "Resolved that all the said votes, or a major part thereof, shall constitute such committee. And that the said committee, when met, shall be empowered to open all letters directed to the said Congress and to answer the same; that they be further empowered to take such measures, as they shall think proper, to carry into execution all orders of the Continental Congress, and all resolutions and recommendations of this Congress, and to comply with any requisitions made by the generals of the Continental army, or any of them as far as they shall think proper."

In August, 1775, the Provincial Congress made arrangements for the reorganization of the militia throughout the province. And by that arrangement four regiments of Ulster County and five regiments of Orange County were to form a brigade. On the 2d day of September, 1775, the Provincial Congress, by resolution, designated as field officers of the four Ulster County regiments the following:

First. Colonel Johannis Hardenbergh, Lieutenant-Colonel Abraham Hasbrouck, Major Johannis Snyder, Major Jonathan Elmendorf, Adjutant Petrus J. Elmendorf, Quartermaster Abraham A. Hasbrouck.

Second. Colonel James Clinton, Lieutenant-Colonel James Claughry, Major Jacob Newkirk, Major Moses Phillips, Adjutant George Denniston, Quartermaster Alexander Trimble.

Third. Colonel Levi Pawling, Lieutenant-Colonel Jacob Hoornbeek, Major Johannis Cantine, Major Joseph Hasbrouck, Adjutant David Bevier, Quartermaster Jacobus Bruyn, Jr.

Fourth. Colonel Jonathan Hasbrouck, Lieutenant-Colonel Johannis Hardenbergh, Jr., Major Johannis Garisen, Jr., Major Lewis Du Bois, Adjutant Abraham Schoonmaker, Quartermaster Isaac Belknap.

The commissions were afterward duly issued to the officers above named, and were respectively dated October 25th, 1775.

The following is the return of officers for the town of Kingston company organizations:

BEAT No. 1. Evert Bogardus, Captain; Daniel Graham, First Lieutenant; Anthony Freer, Second Lieutenant; Johannis Persen, Ensign.

No. 2. Moses Cantine, Jr., Captain; Philip Swart, First Lieutenant; Abraham G. Van Aken, Second Lieutenant; Hendricus Teerpenning, Ensign.

No. 3. Matthew Dederick, Captain; Evert Wynkoop, Jr., First

Lieutenant ; Petrus Eygenaer, Second Lieutenant ; Hendrick Myer, Ensign.

No. 4. John L. De Witt, Captain ; Petrus Osterhoudt, First Lieutenant ; Tobias Myer, Second Lieutenant ; Petrus Brink, Ensign.

No. 5. Hendrick Schoonmaker, Captain ; Edward Schoonmaker, First Lieutenant ; Edward Whitaker, Second Lieutenant ; Isaac Burham, Ensign.

Return of a company of horse for the town of Kingston :

Philip Houghteling, Captain ; Silvester Salisbury, First Lieutenant ; Petrus Mynderse, Second Lieutenant ; Cornelius C. Newkirk, Cornet ; Cornelius J. Du Bois, First Quartermaster ; James Roe, Second Quartermaster.

The letter of which the following is a copy was written by Daniel Graham to the Hon. Charles De Witt, and contains an interesting account of some occurrences in the city of New York :

“ KINGSTON Aug 27, 1775.

“ SIR

“ Rec'd yours of yesterday date and observe the contents. Mr Wm. Eltinge's Son John has come home from New York, which place he left Thursday at five in the evening, by whom we have an exact account of what happened between the King's ship in the harbor and the citizens there. The congress it seems had agreed that the cannon on the battery should be removed, which they agreed to do with the greatest secrecy, but such is the unhappy situation of that city, that there is nothing can be kept a secret, even the Congress itself. However on Wednesday, at 10 or 11 o'clock at night, the People went in order to move the cannon, but soon were discovered and fired on by the Asia's barge, which was immediately returned by our People briskly, soon after the man-of-war began to play upon them. One man in the barge was killed, three of our People wounded, but likely to do well. After a considerable firing, upon the city and battery, and doing a great deal of damages to sundry houses, the firing ceased till morning, when the Captain of the Asia sent a letter ashore, to the Mayor of the City, to know whether it was the sense of the Congress that the Cannon should be moved, or only a party of men without the direction of the Congress ; but received no answer. He sent a second letter and had no answer. He sent a third, and declared if he was not answered, he would on Friday morning set fire to the city. We have no account since that time. Capt John Elmendorf was to set out for home from New York yesterday, by whom I expect we shall have further accounts of the matter. Eltinge says the city was in the utmost confusion, women and children moving out with

all speed. The People, however, moved the cannon from the battery, and have secured them.

"It is thought the Rev Auchmooty's son and Sheriff Roberts' son acquainted the man-of-war of the removing of the cannon from the battery, as these young gentlemen are missing, since that time and not to be found. . . .

"Sir, your very humble Serv't

"DANIEL GRAHAM."

To Charles Dewitt Esq

At a meeting of the committee of the town of Kingston, on the 5th of September, 1775, Egbert Dumond informed the committee that the sloop of Christian Bergen, Jr., of Dutchess County, lying near the east shore of Hudson River, was taking freight on board to supply the king's troops or the men-of-war now lying at New York. Captain John Elmendorf was thereupon ordered to proceed with a detachment and seize the sloop and bring her to Kingston landing in the Rondout Creek.

Captain John Elmendorf subsequently reported that he had seized the sloop as commanded, and brought her safe to Kingston landing.

At a meeting held on the 17th of November, 1775, the following gentlemen were elected delegates to the Provincial Congress, to serve until the 10th day of May next ensuing :

Henry Wisner, Matthew Rae, Dirck Wynkoop, Jr., Matthew Cantine, Andries De Witt, Andries Lefever, Thomas Palmer, and Samuel Brewster. The meeting resolved that three of the deputies, appearing in Congress at one time, shall be entitled to act and give their votes for the county.

On the 8th of November, 1775, the Continental Congress resolved that a commander with the rank of colonel be appointed to take command of the fortifications in the Highlands on Hudson River, and that the convention of New York be recommended to empower such commander to call together two hundred men of the militia of Orange, Ulster, and Dutchess counties, and one company of artillery from the city of New York, to be stationed in the Highlands until relieved. They further resolved that a number of the militia of the counties of Dutchess, Orange, and Ulster, be formed into independent companies under the direction of the commander of said fortresses, and in case of alarm be directed to repair to the several stations in the Highlands, which, in order to prevent confusion, should be immediately assigned to them.

These resolutions arriving during the recess, the Committee of Safety forwarded instructions to said counties for each county to raise sixty-seven men to fulfil the requirement.

On the 19th day of December, 1775, it was ordered that George Clinton be appointed brigadier-general of the militia of Orange and Ulster counties formed into one brigade, and that a commission issue accordingly.

On the 21st day of December, 1775, the following appointments were made of officers of the minute men in Ulster County :

Of the Southern regiment :

Thomas Palmer, Colonel ; Thomas Johnson, Jr., Lieutenant-Colonel ; Arthur Parks, First Major ; Samuel Logan, Second Major ; Sovereign Bruyn, Adjutant ; Isaac Belknap, Quartermaster.

Of the Northern regiment :

Charles De Witt, Colonel ; Andrius De Witt, Jr., Lieutenant-Colonel ; Christopher Tappen, First Major ; Cornelius E. Wynkoop, Second Major ; Oke Sudam, Adjutant ; Cornelius I. Elmsdorf, Quartermaster.

February 5th, Sovereign Bruyn declined the appointment of adjutant in the Southern regiment of minute men.

On the 13th of February, the field officers of the Northern regiment of militia for Ulster County were appointed as follows :

Abraham Hasbrouck, Colonel ; Johannis Snyder, Lieutenant-Colonel ; Jonathan Elmendorf and Adrian Wynkoop, Majors ; Abraham A. Hasbrouck, Adjutant, and John Van Dusen, Jr., Quartermaster.

Under date of March 13th, 1776, the following memorandum appears upon the legislative minutes : " A long letter from Colo. Abraham Hasbrouck, at Kingston, in Ulster County, alleging that he is superseded in his rank as an officer in the militia, was read and filed."

Immediately following the above-mentioned memorandum, appears another, as follows :

" Another very long letter from said Colo. Abraham Hasbrouck, Johannis Snyder, and the other gentlemen lately appointed to be field and staff officers of that regiment was also read and filed.

" The gentlemen who wrote the last above-mentioned letters, amongst many other childish reasons therein contained, for returning their commissions, have assigned the two following. First as they are called officers of the Northern Regiment of Ulster County, and secondly, that their commissions bear test on the date posterior to the date of many inferior officers of their regiment."

The Provincial Congress, the next day, the 14th of February, had the aforesaid letters under consideration, and adopted a communication addressed to Jacobus Bruyn, Esq., Chairman of the Committee of Ulster County, in which, among other things, is

stated : " There appears to be a great dissatisfaction among the field officers, and the Colonel declines serving by reason of your altering the name of his regiment, and our appointing George Clinton, Esquire brigadier-general of the Militia of Ulster and Orange Counties. . . .

" We enclose you six blank commissions, which you will fill up for such persons as you conceive best qualified, being previously assured, that the persons you appoint will serve, and that their political sentiments are friendly to American Liberty."

At a meeting of the Ulster County Committee, held at New Paltz on the 19th of January, 1776, in reference to a dispute and difficulty in regard to the field officers of the Northern regiment of Ulster County, the committee, having taken into consideration the matters referred to them by a majority of voices, ordered the following persons to be recommended : Abraham Hasbrouck, Colonel ; Johannis Snyder, Lieutenant-Colonel ; Jonathan Elmdorf and Adrian Wynkoop, Majors ; Abraham A. Hasbrouck, Adjutant ; John Van Dusen, Quartermaster.

Mr. Abraham Hasbrouck continuing to feel aggrieved at the appointment of George Clinton as brigadier-general in preference to himself, persisted in his refusal to serve as colonel. The regiment was finally officered in the manner indicated by the following return :

Kingston, May 1, 1776.—The following return was made of the First Regiment of militia of foot in Ulster County :

Colonel Johannis Snyder,
Lieutenant-Colonel Jonathan Elmdorf,
1st Major Andrieaen Wynkoop,

2nd Major Philipus Houghteling,
Adjutant Abraham Hasbrouck,
Quartermaster John Van Dusen, Jr.

	Lieut.	Ensign.	Non Com'd.	Privates.
1st Captain Evert Bogardus.....	2	1	8	68
2d " Jan L. De Witt.....	2	1	8	50
3d " Hendrick Schoonmaker.....	2	1	8	50
4th " Mattys Dederick.....	1	0	8	48
5th " Lucas De Witt.....	2	1	8	59
6th " Moses Cantyn.....	2	1	8	60
7th " Gerardus Hardenbergh.....	2	1	8	50
	13	6	56	385

On the 19th day of January, 1776, the Continental Congress called for four battalions of troops, of which Ulster County was required to furnish three companies. Those companies were speedily enlisted for short terms under the command, respectively, of Captains John Belknap, of New Windsor, William Jackson, of Montgomery, and Cornelius Hardenbergh, of Hurley. They were assigned to the Second Regiment, commanded by Colonel James Clinton. That regiment was assigned to the defence of New York, and participated in some of the battles connected with that service.

Thomas Colden, sheriff of the county of Ulster, having given public notice that he had received the king's proclamation, and intended reading it in public at St. Andrew's Church on the 2d of December, 1775, the commanding officer of the regiment in that precinct, at the request of the committee, ordered out four companies of his regiment to meet at the church at that time. All the officers, with most of their men, attended, except Captain Cadwallader Colden, Jr. Three companies of minute men were also in attendance.

The sheriff, upon their demand, refrained from reading the proclamation, and publicly signed and read a declaration by which he declared, in substance, that he was sorry for his action, and would for the future act and behave as a friend to the measures adopted by the united colonies, and would thereafter, when required by the committee, aid and assist in carrying into execution the resolves of the Continental and Provincial Congresses.

Governor Tryon, from his place of refuge on board a British war vessel, circulated the following address :

" To the Inhabitants of the Colony of New York

" I take this public manner to signify to the Inhabitants of this Province, that his Majesty has been graciously pleased to grant me his Royal permission to withdraw from the government ; and at the same time to assure them of my readiness to perform every service, in my power, to promote the common felicity. If I am excluded from every hope of being in any ways instrumental toward the re-establishment of that harmony at present interrupted between Great Britain and her Colonies, I expect soon to be obliged to avail myself of his Majesty's indulgence.

" It has given me great pain to view the Colony committed to my care, in such a turbulent state as not to have afforded me since my arrival any prospect of being able to take the dispassionate and deliberate sense of its Inhabitants, in a constitutional manner, upon the resolution of Parliament for composing the present ferments in the Provinces. A resolution that was intended for the basis of an accommodation, and if candidly considered, in a way in which it will be most probably successful, and treated with that delicacy and decency requisite to the cultivation of a sincere reconciliation and friendship, might yet be improved for the purpose of restoring the general tranquillity and security of the Empire.

" I owe it to my affection to this Colony to declare my wish that some measure may be speedily adopted for this purpose ; as I feel an extreme degree of anxiety, in being witness to the growing calamities of this country, without the power to alleviate them ; calamities that must increase, while so many of the inhab-

itants withhold their allegiance from their sovereign, and their obedience to the parent country ; by whose power and patronage they have been hitherto sustained and protected

“ WILLIAM TRYON

“ SHIP DUCHESS OF GORDON HARBOUR OF NEW YORK, 4th Dec 1775.”

It will be recollected that the last legislative Assembly of the province of New York, containing a majority of Tories, was prorogued from time to time after their last meeting, but not dissolved. On the 4th of January, 1776, the Committee of Safety having ascertained that the governor had dissolved the Assembly, and issued writs for another election, but withheld the publication of the same, presumably to elect a Tory house by a kind of snap judgment, addressed the following communication to the chairmen of the respective county committees, and forwarded a copy to Dirck Wynkoop, Esq., at Kingston :

“ NEW YORK January 2, 1776

“ SIR—We are well informed that the late General Assembly of this Colony is dissolved, and that writs are already made out for the election of Representatives in the several counties, so early that they may meet in General Assembly at New York on the 14th of next month, and that they will be summoned to meet on that day. Government has thought proper, as yet, to delay the publication of the dissolution of the late Assembly. We will not take upon ourselves to assign any reasons for this secrecy, you may easily conjecture the cause. We have thought it our indispensable duty, to give you the above intelligence, that you and the friends of Liberty in your county may not be taken unaware, and surprised into an election without time to consult and to prepare for it. We pray you to speak to the leading friends of Liberty in your county ; get some of them to meet and determine on men of real spirit and integrity, and friends to their country, to represent you in this perilous day. When you have fixed on proper men, let no time be lost in taking every necessary care and pains to secure their election.”

Whether it was a false alarm or not the election was not held, but the legislative Assembly was, in fact, dissolved.

In 1775 Kingston and Ulster County had only heard the notes of war and bloodshed from afar. Some of her sons, it is true, had gone bravely forth to the battlefield to stay the progress of the invading forces, but her soil had not yet been trampled on. Now, closer quarters were approaching, and the character of the contest changing. Hitherto the contest had been that of resistance to the

enforcement of unjust, unconstitutional, and tyrannical enactments, with the vain hope of reconciliation and revocation of the obnoxious measures. Now, the colonies had by act of Parliament been declared to be in rebellion and out of the protection of the British crown; and by the ministry, with the approval of Parliament, fleets and armies had been raised within the kingdom, and foreign troops hired to subjugate the provinces. It was therefore no longer a fight for the redress of grievances, but a contest, the result of which, baptized by the life-blood of thousands of patriots, must be liberty and independence or slavery.

On the 10th of May, 1776, the Continental Congress, in view of the action of the British ministry and Parliament toward the colonies, and that "the whole force of the Kingdom aided by foreign mercenaries is to be exerted for the destruction of the good People of the Colonies, . . ." declared it to be necessary "that the exercise of every kind of authority, under the said crown, should be totally suppressed, and all the powers of government exerted under the authority of the People of the Colonies . . ." by resolution recommended the adoption by the several colonies of "such government, as shall in the opinion of the Representatives of the People, best conduce to the happiness and safety of their constituents in particular, and America in General."

And on the 7th day of June, 1776, certain resolutions were introduced into the Continental Congress. The first one was in the following words: "Resolved that these United Colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British Crown, and that all political connection, between them and the State of Great Britain, is and ought to be totally dissolved." Congress postponed the consideration of the resolution for three weeks, and directed the appointment of a committee "to prepare a declaration to the effect of the said resolution."

On the 2d day of July the aforesaid resolution was adopted, and on the 4th of July the Declaration of Independence was adopted and directed to be promulgated.

The deputies to the New York Provincial Congress, which convened in May, 1776, had been elected in the month of April. The delegates from Ulster were Colonel Charles De Witt, Colonel Abraham Hasbrouck, Colonel Johannis Snyder, Matthew Cantine, Matthew Rae, Arthur Parks, Henry Wisner, Jr., and Samuel Brewster. In that convention the resolutions of the Continental Congress on the subject of composing and erecting some independent form of government were brought up for consideration. The delegates were of opinion that they were not invested with sufficient authority for that purpose. They therefore, by resolution, referred

the question to the people to elect representatives with express authority to institute a new internal form of government and police for the colony suited to the existing emergency.

At the election held in Ulster County pursuant to such resolution the delegates chosen were Charles De Witt, George Clinton, Matthew Cantine, Matthew Rae, Christopher Tappen, Henry Wisner, Jr., Arthur Parks, and Levi Pawling. On the 9th day of July, 1776, the Provincial Congress met at White Plains. Immediately after organization, a letter dated July 2d, from the New York delegates to the Continental Congress, was laid before them asking instructions on the subject of independence, and another enclosing a copy of the Declaration of Independence.

On the same day the Provincial Congress "Resolved, unanimously, That the reasons assigned by the Continental Congress, for declaring the United Colonies free and independent States, are cogent and conclusive; and that while we lament the cruel necessity, which has rendered that measure unavoidable, we approve the same, and will at the risk of our lives and fortunes, join with the other Colonies in supporting it."

Then, after directing the publication of the declaration in the several districts of the several counties in the province with the resolutions of approval, further "Resolved that the delegates of this State, in Continental Congress, be and they are hereby authorized to consent to and adopt all such measures as they may deem conducive to the happiness and welfare of the United States of America."

Thus ends the record of British rule, and now we reach the bloody contest to achieve independence.

CHAPTER XII.

A REVIEW OF SOME PURELY LOCAL MATTERS.

WE have now reached in the preceding general narrative the firm and determined rejection of the British yoke, and the hoisting of the flag of independence. This therefore appears to be an appropriate place to revert to early years and note some purely local matters which could not be readily introduced in the preceding chapters. As the special subject of this historical sketch formed a part, and at that early day a very important part, of the province, a general sketch of the legislative, political, and other action affecting the whole body politic, was considered necessary fully to elucidate and illustrate its history.

The preceding chapters have set forth the early declaration in the province of New York, of the great principle of "no taxation without representation," and its increasing strength in the public mind, as the years rolled on, until it proved the principal inciting cause, and one of the grand supporting principles which led this country to armed resistance against tyranny and oppression, and to the war for independence.

The narrative also shows, as contained in the instructions of the ministry to their governors, a sweeping clause in restraint of the printing-press. The administration of the Government exhibited no effort on its part toward the encouragement of that bulwark of freedom. On the contrary, under one of the administrations, there was a bold attempt to muzzle it after its introduction. In the history of the struggle arising under that attempt, we perceive the freedom of the press maintained against all the power and strength of the administration, and the editor sustained in his exposure of official delinquencies. The counsel in his conduct of the defence, the jury in their verdict of not guilty, and the city authorities and the people in their wild joy and rejoicing over the acquittal of the prisoner, exhibited their abhorrence of the old feudal principle that "the greater the truth the greater the libel," and their enthusiastic sympathy with the opposite doctrine which now forms a part of the fundamental law of this State.

The settlers who were first drawn to this country after its discovery were traders enticed here by the prospect and love of barter

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and gain. Their special attraction was to New Amsterdam and Fort Orange, by reason of the peculiar advantages of those localities for trade and commerce. New Amsterdam with the outside world, and Fort Orange reaching its arms through the Mohawk Valley and onward to the interior could control the fur trade of a very extended region. At Esopus, although there were some advantages for the fur trade, they were limited in their character, and much inferior to those at Fort Orange. The great and permanent attractions at Esopus were the broad and extensive acres of prairie flats and rich alluvial soil extending for miles upon miles along the several streams concentrating at that point and ready for the husbandman's plough without the preparatory use of the woodman's axe.

Skirting the north bounds of the old village and present city of Kingston is the Esopus stream, which, rising many miles to the northwest of Kingston upon the water-shed of the Catskill Mountains, works its way down through valleys, ravines, and over rocks in a southerly course, until it reaches the lowland flats at Marbletown, then for ten miles or over passing through broad flats of rich alluvial soil to along and beyond Kingston as far as the present town of Saugerties, and then, after bending its course to the Hudson, and bounding over rocks and falls, it loses itself in the waters of that great river.

Then there is the Rondout, also taking its rise in the interior among the Catskills, and, after winding through valleys and clefts of rocks and bounding over precipices, it reaches the lowlands of Warwasing, and then, with rich borders of alluvial flats, it passes for decades of miles through the present towns of Warwasing, Rochester, and Marbletown, and thence forward until it forms a junction with the Walkill in the town of Rosendale. The Walkill, taking its rise in New Jersey, passes toward the north, and after crossing Orange County runs through the present towns of Shawangunk, Gardiner, New Paltz, and Rosendale, to its junction with the Rondout, leaving scores of miles of rich alluvial flats and bottom lands in its trail. The united waters of the two streams then rush to the eastward, and, after passing along and washing the docks on the south bounds of the city of Kingston, are lost in the "great river of the mountains."

The extensive flats at Esopus attracted a class of settlers very different from those at New Amsterdam and Fort Orange. And when the religious persecutions of the Old World drove many of the worthy burghers of Holland and other countries of Europe to the New, husbandmen and farmers, men who looked to the products of the mother earth for the reward of their labors, settled in "that very pleasant land." Such persons formed the general

character of the Esopus population. It is not surprising, therefore, that for scores of years, and, indeed, for nearly a century, it was the principal producing granary of the province. The even tenor of a farmer's life in time of peace has in it very little variety, and furnishes scarcely any material for the recording pen of the historian. The loss or abstraction of papers from the Ulster County clerk's office has added very much to the difficulty of procuring material to compile a complete local history.

The Ulster County Historical Society organized in the year 1859, for, among other purposes, the collection of "papers relative to the history of the original and present county of Ulster," drew at the time to its archives many valuable historical documents. Their executive committee also, with the approval of the supervisors, and at the expense of the county, caused the papers and files in the county clerk's office to be overhauled, and the loose documents and papers of an historical character arranged, indexed, and securely bound in seven volumes. The volumes were then placed where they belonged in the clerk's office. That, to all human appearance at the time, wise and prudent proceeding has served only to facilitate their abstraction and total loss to the county and the public. The volumes have all disappeared, and are now nowhere to be found. The Historical Society existed only a few years. With the departure of Colonel Pratt and a few others of its original founders, it lost all vitality, and is counted now among the things that have been and are not. The archives of the society, also, have been so cared for, that all the historical papers of any value, except such as have been preserved by publication, have disappeared, and are now scattered or destroyed, no one appears to know whither, when, or how.

Tradition, even, that great and prolific manufacturer of great men and wonderful deeds as belonging to past ages, has furnished very little if anything for that period. Under such circumstances the record of the proceedings of "The Trustees of the Freeholders and Commonalty of the town of Kingston," as far as they are accessible, will furnish a large portion of the data for this chapter. That corps of officials formed, in provincial days, the local government of the town, both civil and judicial. The recital of facts connected with or relating to their fostering care exercised in educational and religious matters, will be reserved for the chapters specially relating to the academy and the church.

The trustees, twelve in number, were elected annually; they were empowered by their charter to ordain rules and regulations for the good order of the territory within their chartered limits, and to prescribe penalties for their violation, and make rules and regulations for their enforcement.

In reference to their judicial power, the trustees were required, immediately after the annual election in the spring, to designate five of their number to sit and hold court every month, with petty, civil, and criminal jurisdiction. The civil jurisdiction was limited to five pounds. Their criminal jurisdiction was the same as given by law to commissioners or local magistrates of the several towns in the province. The presiding officer of the trustees was called the speaker; the presiding officer of the magistrates was called the president.

The trustees continued in existence as a corporation until 1816, and upon their dissolution, all their then existing records were required to be filed in the county clerk's office. Of the minutes of the proceedings of the trustees, prior to November 4th, 1713, only about half a dozen detached leaves of different dates are to be found. The book containing the rules and regulations adopted by the trustees for the good order and government of the territory is also gone. That such a book once existed is evident from a reference made to it in the minute book of the trustees at a date subsequent to the Revolution.

The minute or record books of the local court, held under the charter, are also missing; they are referred to in the minutes of the meeting of the trustees held December 7th, 1759, as being deposited with the treasurer. So that, with the exception of a few entries embraced in the trustee minutes of 1713-14, the entire minutes or records of the local court are gone.

The record of conveyances, and the books containing the treasurer's accounts, are on deposit in the county clerk's office.

The names of the original trustees specified in the charter were, Garret Aertse, Jacob Aertson, Wilhelmus Demyer, Teunis Elisie, Willem Haines, Jan Wms. Hoggheten, Willem Legge, Mattyze Mattice, Benjamin Provoost, Jacob Ruttsen, Derck Schepmous, and Wessell Ten Brooge.

One of the odd leaves saved from the general wreck of the old minutes contains a certificate of the result of the first election held under the patent. Whether any, or, if so, how much of a contest there was does not appear. The election took place on the first Tuesday of March, 1689, and the following burghers were elected, showing some changes :

TRUSTEES : Jacob Aertson, Garret Aertse, Wilhelmus Demyer, Tjerek Clauson De Witt, Jan Hooke, Mattyze Mattice, Jan Mattice, Benjamin Provoost, Jacob Ruttsen, Derck Schepmous, Philip Schuyler, Wessell Ten Brooge.

CONSTABLES : Johannis Wynkoop, Jan Hortuyn, Willem Ganse.

ASSESSORS : Walrand Dumond, Tjerek Clase, Jan Willemse Hooghtyling.

MAGISTRATES were designated as follows : Wilhelmus De Myer, President ; Derck Schepmous, Jacob Ruttsen, Philip Schuyler, Jan Hooke.

A full list of the trustees and magistrates, so far as known, and the presiding officers, will be given in the Appendix, also the supervisors up to 1788.

There are three ordinances entered on one of the odd leaves so singularly preserved, which from their date, November 21st, 1688, must have been among the first, if not the very first ones established. The following are copies. The first two would be as appropriate enactments for the present as they were for former times :

“ It is enacted and ordained, that no manner of person or persons whatsoever shall at any time run races, or have any disorderly riding in the town of Kingstowne, upon the penalty of six shillings for each default, also them that drive rapid at unseasonable hours.

“ It is further enacted, that no manner of person shall do any riding on the Sabbath day, upon the forfeiture of five shillings for each default.

“ It is further enacted and ordered, that no manner of vessels shall be admitted to bring strangers from any other town or county, but shall give notice thereof to a constable where they are, and put in security for their maintenance ; for want thereof such man shall be bound to take care for himself of his maintenance.”

The book of minutes of the trustees, containing a record of their proceedings from November, 1713, to the year 1736, is among the deposits in the archives of the New York Historical Society. As appears by an indorsement thereon in the handwriting of Herman M. Romeyn, formerly a resident of Kingston, they were presented by him to the New York Historical Society in 1847, and noted by him to be valuable as containing the only copy extant (in Dutch) of a letter from the Classis of Amsterdam to the Dutch Church in this country.

In that book the records of the local or town court are mixed in and inserted regularly with the trustee minutes for two or three years. After that there are no court entries. As those are, apparently, the only records of that court in existence, a full transcript of the record of proceedings in one of the suits as entered will be given. It may be of interest as exhibiting the manner in which objections made to interested parties sitting as judges were in those days, at times, disposed of. It will be recollected that five of the trustees constituted the town court :

“ At a town court held at Kingston third day of November 1714
Present Maj. J Wynkoop, R Eltinge, H Pruyn and Jno Crooke

“ Jno Crook plff Jno Wood deft.

"The plff, by power of the Trustees, demands of the defendant twenty one bushels of wheat, for quit rent of the Patent of George Meales and Richard Hayes, for three years quit rent.

"The defendant appears and would not answer, but alleges that he could not expect Justice, by reason of his Judges were plaintiffs. The court ordered judgment for twenty one bushels of wheat and costs of suit."

After the conclusion of peace with the Indians, subsequent to the second Esopus Indian War, many of them migrated Westward and mingled with other tribes. Those that remained were broken down in spirits, and submitted entirely to the white man's control. Some were even reduced to domestic servitude, and treated much the same as negro slaves. They were, at times, very annoying to farmers by entering and encamping upon their land ; and although the natives were thus subdued in spirit, the citizens did not care unnecessarily to anger them, and submitted to these annoyances, rather than have difficulty. Tradition furnishes a story in regard to a circumstance of that nature which may serve to illustrate alike the submissiveness and credulity of the natives.

One or two families of Indians pitched their tents upon the farm of a man by the name of Schepmoes residing in the vicinity of the village. They annoyed him very much, and he determined to get rid of them. He knew that they were unable to pronounce his name--the nearest they could approach it was *Shopmoes*. He went to them and told them that he was very subject to dreaming and wandering about in his sleep, and, when he did so, he was very destructive and would destroy anything within his reach. That it was then almost impossible to arouse him. The only thing that could awaken him was calling him by name. To carry out his plan, he provided himself with a raw-hide whip, common in those days, and about midnight started to their encampment, routed them out, and cut and slashed in every direction. The Indians rushed away crying *Shopmoes, Shopmoes*, but all to no purpose, until his work was completed, and they were clear of his premises. Afterward they complained bitterly to him. His retort was, "Why did you not call me by name, and wake me ; I warned you what you should do." They replied, "We did ; we did, we called Shopmoes, Shopmoes." He replied, "No wonder you could not wake me. That is not my name ; it is Schepmoes." The Indians changed their quarters and he was not troubled with them any more.

The submissive and inoffensive demeanor of the Esopus Indians encouraged many of the inhabitants, as well as immigrants, to extend their residences outside of the village, and build upon and occupy their farms, also to substitute a better class

of dwellings for their occupancy. The temporary wooden structures now gave place rapidly to substantial dwellings of blue limestone, usually one story in height, with an attic under a very steep roof. The original walls of many of the dwellings built about that time are still standing, both in the old village section of Kingston, and also upon many farms in the vicinity. Many of those walls, even at this day in Kingston, after having encountered the conflagration of 1777, are still sound, and mechanics, in many cases, have found more difficulty in tearing down such walls on account of the superiority of the mortar than those of modern erection. Some of the ruins left after the burning of Kingston, standing naked and exposed to the elements for nearly threescore years, were taken down finally with great difficulty, the stones themselves breaking and giving way before the mortar; and when, finally, they were brought down by scores of men pulling at the end of ropes fastened to the top of the walls, which had been previously undermined, the walls lay on the ground broken up in large chunks, which required the free use of the sledge-hammer to break in pieces. It has been mistakenly asserted that those ruins were not rebuilt on account of the injuries caused to the walls by the fire. If that had been so they could not have stood as they did exposed to the weather for half a century, and then as they did tax the ingenuity of the owners to level them to the earth.

The early settlers when they procured their titles direct by purchase from the Indians, could only do so with the consent of the ruling powers. Such consent required a special application to the governor, and the consent, if given, was in writing. The following is a copy of a consent given by Governor Nanfan, in 1701 :

{ L.S. }

“By the hono^{ble} John Nanfan Esq his Majesties Gov^r and Commander in Chief of the Province of New York and countries depending thereon in America gr^d in council.

“I do hereby give and grant full and free liberty leave and license unto Albert Rosa of the county of Ulster to purchase of and from the native Indians proprietors thereof a parcel of vacant land in the county of Ulster containing about three hundred acres called by the Indians by the name of Cheguagobonb lying to the northwest of Kingston upon a certain creek called Saw Kill westerly above a certain sawmill of Wm Legg and near the high mountains in order that he may have a patent for the same under the broad seal of the Province provided the said purchase be made before one of his Majesties Justices of the Peace for the said county and returned in council within twelve months after the date hereof.

Given under my hand and seal at Fort Wm Henry in New York this twelfth day of March 1701 and the fourteenth year of the reign of our Sovereign Lord William the third by the Grace of God of England Scotland France and Ireland King defender of the faith etc

JOHN NANFAN

“ pr order of Council

“ N COSENS Ck Council ”

After the purchase of the property was made before a justice of the peace, and a certificate thereof filed, the governor gave a confirmatory deed or patent reserving an annual quit rent upon the farming lands, generally of a specified quantity of wheat to be delivered in New York at the Government house. The settlers in Esopus had generally taken sufficient land to supply their immediate wants for residence and cultivation. They were not cursed with any of the large manorial grants so injurious to the prosperity and settlement of a new country. The desire and policy of the inhabitants turned in an entirely different direction. Their bent was in the direction of freedom ; they wanted their work and their toil to enure to the benefit of themselves and their families, and not to the landlords. This led to the procurement of the patent hereinbefore referred to, and set forth in full in the Appendix, for the general benefit of the entire community.

The lands being thus placed in the hands of trustees, subject through the medium of annual elections to account to their *cestui que* trusts for the proper discharge of their duties, were, when disposed of, sold and conveyed in quantities, and on terms to suit the requirements and convenience of the purchaser, and with very few exceptions in such amounts only as were needed for agricultural or business purposes. From this sweeping clause must be excepted the very liberal grants of land made by them to the churches within their boundaries, and to Kingston Academy, which will be particularly noted elsewhere. The lands remaining unsold were used by the inhabitants, who were freeholders having the qualifications described in the grant, for the supply of fuel, fencing material, and other common domestic purposes.

The trustees held frequent meetings, but their minutes, which have been found, contain very little else for many years than proceedings for the sale of lands and consideration of applications to purchase. It was not usual for them to enter any of their ordinances or by-laws for the government of the place and people in their minute book, so that with the disappearance of their book of ordinances all trace of the local laws and regulations adopted by them for the government of the place are also gone.

Under the charter, there were some formalities to be observed

in the enactment of their ordinances; besides the passage of a formal resolution, a warrant or authority for that purpose was required to emanate from a justice of the peace. In order to show the proceedings deemed necessary, and the practice adopted, a statement of some of the preliminary proceedings for that purpose found in the county clerk's office will be given.

In the minutes of a meeting of the Board of Trustees, held on the 24th day of November, 1733, is entered an order appointing Christopher Tappen, John Ten Broeck, and Jonathan Davenport, a committee "to examine into the orders of the Trustees made from time to time, and make report thereof, and also what further orders are requisite and necessary to be made for the good and benefit of the town."

On the 12th day of December following, a warrant, of which the following is a copy, was issued by Johannis Jansen, one of the justices of the peace, for service on the trustees:

“Ulster County, ss., Johannis Jansen, Esq., one of the Justices of the Peace for said county, assigned and residing in the town of Kingston Greeting: Whereas Capt. Joh's Ten Broeck, Hendrick Jansen and Igonas Dumont, three of the Trustees of said town have, pursuant to the charter of said town, requested a publick summons, to assemble the Trustees of said town to make such acts and orders in writing for the more orderly government of said town; You are therefore hereby summoned that you, the present Trustees of the Freeholders and Commonalty of the town of Kingston, do this present day assemble, at the County House in said town, to make such acts and orders in writing for the more orderly doing of the premises as you shall or may think convenient.

“GIVEN under my hand and seal this 12th day of Decem. in the seventh year of the reign of our Sovereign Lord George the Second, by the Grace of God, of Great Britain France and Ireland King defender of the Faith etc Anno Domini one thousand seven hundred and thirty three.

“JOHANNIS JANSEN.”

The minutes do not show what report was made, or what acts and orders were adopted. There is a memorandum indorsed on the warrant, as follows: “At a meeting of the Trustees the 12th of December, 1733, the Trustees met and had the following orders published as hereunto annexed.” But the orders are all missing.

Simple resolutions are, occasionally, found recorded in the minutes looking to the protection of the common property from waste and injury, also for the observance of order and quiet, and

to prevent disturbance in the streets of the village, especially on the Sabbath, of which a few samples will be given.

Although free use could be made of the commons by the commoners for individual and family uses, they considered it waste, and would not permit individual use of any part of the wood, timber, or limestone, for transportation and sale outside of the corporation without a special license and payment for the privilege. Hence the following orders entered in the minutes of the trustees, as passed at a meeting held by the trustees on the 17th day of February, 1719, as follows: "Ordered that there shall be no wood, brush, stone, lime, tar or charcoal transported or carried out of the corporation, that is made in the corporation, upon the forfeiture of five pounds for every such default, to be levied by the corporation court upon those that do so carry any of the aforesaid things or species."

On the 17th of February, 1721, in order to prevent strangers from coming in, and by obtaining a residence and becoming freeholders, acquire an interest in the common property, the following order was made "that no stranger shall set up his trade, or occupation within the Corporation unless he pay for his freedom £3."

The trustees, by the sale of corporate property, acquired considerable money to loan to the citizens, and also held securities for lands sold upon credit, and thus were, to a considerable amount, creditors of sundry inhabitants. What is not very common with creditors, they appear to have studied the interest of their debtors and those desiring financial help, especially in the passage of a resolution on the 2d day of March, 1728, reducing the rate of interest to six per cent on the bonds held by them, and further declaring that, "what money is let to the Freeholders shall pay but six per cent and give security; and that such persons as are able to let money out themselves, shall not have it unless they pay eight per cent, and that all persons without the corporation pay eight per cent."

That resolution shows a peculiar regard of the worthy burghers for the poor. They not only reduce the rate of interest to them to six per cent, but to prevent the rich from taking advantage of the reduction by borrowing at the reduced rate, and then loaning at a higher, they require them to pay at the old rate. In the month of May, 1748, they made a further reduction of interest on their bonds to five per cent.

On the 9th of April, 1729, an order was made by the trustees, which, if continued at the present day, and strictly enforced, with an extension to cigars and cigarettes, would in all probability save much valuable property from ascending in smoke to the heavens. It is as follows: "Ordered that if any body shall go along the

streets, after sunset, with a lighted pipe in his mouth or hand, he shall forfeit three shillings for each offence, the one half for the informer, the other half for the Poor, and if a negro to be whipped thirteen lashes."

At same meeting they adopted an ordinance prohibiting persons riding through the streets faster than a moderate trot under the same penalty.

It appears that in those days not only was the whipping-post in use, but women were not exempted from the lash. By a resolution adopted at a meeting of the trustees, held on the 17th day of January, 1748, it was ordered that, in the event of a whipper being needed in the case of a woman then under prosecution, Mr. Johannis Jansen should agree with one.

The trustees were, from a very early date, greatly harassed by suits brought against them to settle their outside boundary lines, and to resist encroachments by adjoining proprietors, and also to defend suits brought by the attorney-general against some of the citizens which the trustees were called upon to defend.

The suits first above referred to were not to be wondered at, owing to the loose, uncertain, and conflicting character of the descriptions drawn without actual survey.

The other class of suits do not appear to have been based upon the least particle of right or justice. They were apparently brought under the idea that, from the manner in which the particular court * to which resort was had was constituted, and with corruption existing in high places, either a recovery would be had, right or wrong, or they would prove profitable blackmailing bonanzas.

The last-mentioned suits were brought for the recovery of quit rents reserved in patents granted before the date of the Kingston grant. But the Kingston patent included, within its description, the territory of all those former grants without any reservation or exception whatever, except a declaration that "nothing therein contained, shall be construed to enervate hurt or destroy any the right title interest property claim and demand of any person or persons holding by virtue of any former grant." That reserves no right or interest to the grantor, it is a provision for the protection of the grantee. After such absolute transfer by the crown to the trustees, for the crown to attempt to collect quit rents upon those former grants is the same as if a lessor, at the present day, should, after making an absolute sale and conveyance of the land covered by the lease, seek to recover the subsequently accruing rent from his former lessee.

* The Court of Chancery, which had been recently established, without right or authority of law, by Governor Hunter, with himself as Chancellor.

The trustees well considered that the patent to them operated as an assignment and transfer to them of all subsequently accruing quit rents upon those prior conveyances, and they had collected the quit rents, when they became due, as their right. Consequently, they were compelled to enter the lists and indemnify and defend.

However plain the question may have appeared to them, and however just and equitable was their defence, they had to deal with the protégées of royalty sent here in the capacity of governors and attorney-generals to amass princely fortunes upon small salaries. The bulk of them, if they were not adepts in the science when they came, soon learned the way with willing and accommodating consciences to such an extent that great wonderment was excited as to how and where the public funds had been appropriated. These tools of royalty evidently conceived that they had discovered a convenient prey in the sturdy burghers of Kingston.

What may have occurred previously, or what entries may have been made in the book of minutes which is lost, is not known, but the first entry found, in reference to such suits, is in the record of a meeting held by the trustees on the 24th of May, 1714. A statement is there made of an agreement made by the trustees with John Crooke (a Kingston lawyer) to go to New York to take care of the corporation affairs concerning quit rents. And it was also stated in the minutes that Mr. Teunis Ellison was sued in chancery for the quit rents which the corporation had received. The trustees resolved to defend the suits from the date of their charter, and claimed "that the Trustees have a right, as grantees of the fee, to receive the quit rents which Ellison is sued for."

There are no further entries in the minutes in regard to the Ellison suits. But there are frequent entries stating the commencement of scores of other suits of the same character.

The trustees having failed in repeated efforts made by them to stop the multiplication of suits and have the question tested in a single case to be brought to trial, passed a resolution at a meeting held by them on the 2d of March, 1723, as follows: "Resolved that Mr Livingston draw a petition to his Excellency, in order to stop the proceedings of Mr Canada, if possible, in issuing subpœnas against Freeholders of the Corporation of Kingston for their particular quit rents, the corporation being already in action about the same cases."

There is nothing in the minutes in regard to the result of such mission, but as the minutes show frequent receipts of more chancery subpœnas in the years 1734 and 1735, during the administration of Governor Cosby, it does not appear to have been successful.

In May, 1737, during the administration of Governor Clark, the chancery subpœnas for quit rents were again showered down, and

the trustees were compelled to employ counsel and assume more defences.

In April, 1741, they were favored with more refreshing showers of the same character, and of course directed their council to appear and defend, at the same time requesting him to have one suit tried as a test case. From this it would seem that as yet there had been no trial, and if the former suits had not been settled, they still were all pending.

It does not appear from any entries in the records what became of any of the suits, whether they contributed anything to the governor's perquisites or not. Possibly the attorney-general may have been satisfied with the costs drawn by him on their account from the public crib, and thus let them die away, not daring to risk a trial after failing to alarm. At all events there are no further records of quit-rent suits.

In the year 1738 a question arose as to the north bounds of Kingston, where it bordered on Albany County. This, of course, involved title of the parties within the disputed territory, who received their conveyances from the trustees. The question involved appeared to be this: Albany, in the original description, extended south to Sawyer's Creek; Ulster is described as extending to Albany County on the north. Sawyer's Creek empties into the Hudson, just north of the present village of Saugerties. Its rise, however, is a few miles back from the river, but several miles to the north of its mouth. It runs a southerly course, nearly parallel with the river for several miles, and then, taking a short turn, empties into the river at the place above stated. Thus, Albany extending down to Sawyer's Creek, the question was, Did it stop when it reached the headwaters, or did it extend to the mouth? The original survey, it was claimed, adopted the headwaters ("Steene Haert Fonteyne"), and the trustees made conveyances, and the town assessors assessed the inhabitants accordingly. The assessors, fearing to be involved in trouble by making such assessments in the disputed territory, asked the trustees to indemnify them, which they did annually by a formal resolution.

The question was brought at different times, through petitions and remonstrances, before the Provincial Assembly, but the matter never was definitely settled by them. It continued a controverted question of jurisdiction until the arrangement of towns and counties under the State constitution. The question of title was afterward disposed of and settled in the State Supreme Court by judgments in favor of the trustees in some ejectment suits involving the question.

To show a very effectual mode adopted by some of the burghers in the early days of the settlement of the country to strengthen the

memory of their offspring, the following extract is given from the testimony of a witness perpetuated in one of those ejectment cases. The examination was taken November 27th, 1802, and is as follows :

“Margaret Snyder, the wife of Zachariah Snyder, being duly sworn deposeth and saith, that she is the daughter of Valentine Fiero, and near sixty seven years of age, that she was born and brought up at her fathers, and after being married removed to near the ‘Steene Haert,’ and lived there ’till about twenty years ago. When she was ten, twelve, or thirteen years of age, her father turned the cattle (as she believes about the 25 April) in the woods near the Steene Haert Fonteyne,* where one of the cows was entangled in the morass. She went to see, and found a cow, which she called her own, just drawn out. . . .

“Her father having cut a switch took her to the north side of the Steene Haert rock, and taking her by her hair, told her that he would give her something to remember, that that side was Albany, showing her letters and gave her a smart whipping. After which he took her to the south side of said rock, and told her that side was Esopus, and pointed at letters on that side of the rock, and giving her a second whipping, told her to remember that he had been flag bearer, and Peter York and Nicholas Branden were chain bearers on the survey, and that was the line between Albany and Esopus, and after his death, if any dispute should arise she might remember it.”

In the year 1702, a patent was granted in the reign of Queen Anne to Johannis Hardenbergh and his associates for a very large tract of land which bordered on the grant made to the trustees. As the descriptions contained in the royal grants of those days were necessarily very general, and not usually accompanied by any previous survey, there was much room left for litigation between adjoining owners. That was the case in regard to the boundary line between the Hardenbergh patentees and the trustees of Kingston. A severe litigation arose between them, and was kept up for many years before final adjustment. It was terminated by arbitration in the year 1746, and Charles Clinton was employed by the trustees to run the line as fixed by the arbitrators.

During the pendency of that litigation, and in the year 1728, an order was made by the Supreme Court directing Jacobus Vandyck, the sheriff of Ulster County, to make a general list of the freeholders in his Bailwyck (Ulster County), so that a special jury could be struck therefrom. He made his return to the court on the 7th day of July, 1728. The following is a list of the names re-

* The Steene Haert Fonteyne (spring) is understood to be the headwaters of Sawyer's Kill.

turned by him as the freeholders in the town of Kingston at that time ; it of course falls far short of the whole number of inhabitants. It embraces the entire town as it then existed :

The freeholders for the Town of Kingston, Vizt

William Schepmoes	Jacob Ten Brook Esqr	James Whitaker
Coenraet Elmendorp Esqr	Johannis Ten Brook	William Legg
Doct Jacobus Elmendorp	Jonas De Lange	Peter Oosterhout
Simon Van Wagenen	William Ploegh	Cryn Oosterhout
Tjerik De Witt	John Crook Junr	John Peterse Oosterhout
Walran Du Mond	Hendrik Oosterhout	Jacobus Du Bois
Gerrit Van Wagenen	John Oosterhout Junr	Arie Kuyckendall
John Sleght	Mattys Van Steenberge	Jacobus A Van Etten
Nicholas Hofman	Anthony Sleght	Hiskiagh Du Bois
Mattys Sleght	Nathaniel Devenpoort	Nicolas De Myer
Petrus Bogardus	Johannis Low	Hendrick Brinck
Samuel Nights	Maj Johannis Hardenbergh	Cornelius Langendyck
William Eltinge	Peter Tappen	Barent Burhans
William Hennis	Tjerik Van kueren	Evert Wynkoop Esqr
Hendrick Pruyn	Samuel Burhans	John Persen
Major Johannis Wynkoop	Aldert Kiersteeden	Arie Newkerk
Mattys Persen	Evert Roosa	Johannis Snyder
William Doughty	Solomon Bunschooten	Johannis Wm Snyder
Phillip Viely	Hendrik H : Schoonmaker	Harmanus Hommel
Lewis Dubois Junr	Eghbert Schoonmaker	Frederik Merkel
Thomas Beekman	Edward Whittaker Esqr	William Keel
Jeronimus Klyn	Aris Van Steenberge	Andries Hoff
Nicolas Dromboer	Lowrens Hendrik	Gysbert Peele
Christyaen Myer	Andries Heermans	Peter Van Leuven
Peter Mouerse	Johannis Turck	Moses Cantyn
Jurya Overpagh	Stephen Gasharie	Mattys Du Bois
Juryan Snyder	Cornelius Van kueren	Wilhelmus Hooghtelingh
Felter Fier	Cornelius Swartt	Peter Van Acken
Peter Wynnen	Teunis adamse Swart	Boudwyn Lacount
Lowrens Merckell	John Davenpoort	Manuel Gonsalisduck
Jacob Rutsen Junr	Basteyan De Witt	Manuel Gonsalisduck Junr
Coll Wessel Ten Brook	Tobias Van Bueren	William Traphagen
Johannis V. Steenberge	Teunis Swartt	Peek De Witt
Abraham V. Steenberge	John Wels	Arie Van Vliet
Johannis Swartt	Johannis Masten	John Freer
Philip Moore	Adam Swartt	Johannis Hd Schoonmaker
Johannis Jansen	William Swartt	Aldert Arieze Roosa
John Makleyn	Jacobus De Lametre	Charles Brodhead
Doct Hans Kiersteeden	Lowrens Swart	Dedrick Soets
Cornelius Delametre	Cornelius Elmendorp	John Wolf
Johannis Delametre	Johannis Schoonmaker	Christopher Wanbomel
Coll Abraham Gaasbeek	Hendrik Jansen	David De Lametre
Chambers	John Oosterhout	Hendrick Frelingh
Christophell Tappen	John Ploegh	William Smith
Mattys Van Keuren	John Wood Senr	Hendrick Ruyter
Abraham De Lametre	John Wood Junr	Hiskiagh Schoonmaker
Gisbert Van Denbergh	Edward Wood	Jacob Middagh
Johannis Tappen	John Legg	Coenraet Rightmyer
Abraham Low	Peter Luyks	Tjerik Schoonmaker
Thomas Van Steenberge	Peter Peele	

The freeholders of Wagaghkemek:

Harme barentse Van Einweegen

Samuel Swartwout

Peter Gomar

Barnardus Swartwout Junr

John Van Vliet Junr

Jacob Kuddebeck

The following is a "list of the military and civil officers in the county of Ulster, and also of the old officers and old men," as returned by the sheriff of Ulster County, in July, 1728, at the same time that he returned the list of freeholders for the struck jury in suit of Hardenbergh *vs.* Corporation of Kingston, for the purpose, probably, of showing the exempts from jury duty:

"A LEST OF THE COMMANDING OFFICERS AS WELL MILLETERY AND SIVEL.

Collo Jacob Rutsen

Levt Collo Abram Gasbeek Chammers

Major Jno hardenburgh

Adgent Geysebert Van Denbergh

JUSTICES.

Collo Henry Beekman

Mr Corneles Coll

Mr Josef hasbrok

Cap : Dereck Schepmoies

Mr George Medaegh

Mr Jacobes Bruyn

Mr Arie Gerese

Mr Lodwyck horenbeek

Mr Mattyse Janse

Mr Eghbert Schonmaker

OLD OFESERS AND OLD MEN

Capt Mattys Mattyse

Mr Geysebert Van Garden

Levt Sallomon Duboys

Levt Jno heremans

—

Levt Beniamen Smedes

Mr Jno Wynkoop

Capt Tomes Gerten

Levt Nicolas meyer

Mr. Ja Artsen

Capt Cherels Brodhed

Mr Mattys Slegt

Capt Richert Brodhed

Capt Joqem Schonmaker

Mr Geysebert Crooem

Capt Contraet Elvendorp

Mr Moses Dupue

Mr Jno Coock

Mr Evert Bogardus

Mr Tuenes Osterhout

—

Mr Tuenes tapen

Mr Jacob De Witt

Capt Abram hasbroiek

Capt Wessel tenbrok

Mr Sander Roosekrans

Mr Lawies Bovie

Mr Albert Roosa"

Mr Cornelis Swets

The following is a summary statement of the census taken of Ulster County in the year 1703, which it may be proper to give in this connection :

CENSUS OF ULSTER CO. 1703.

The Sevrall Townes in the county	Males from 15 to 60	Males above 60	females	Males Children	females children	Males Negroes	females Negroes	Males Negroe children	females Negroe children	Total
Pals.....	40	2	22	32	25	5	2	1	1	130
Rochester.....	67	3	56	107	83	9	3	5	1	334
Marbletowne....	55	4	37	49	61	11	5	3	2	227
Hurley.....	34		31	41	42	12	7	5	2	174
Kings towne.....	187	14	159	207	146	46	19	17	9	804
	383	23	305	436	357	83	36	31	15	1669

There was no regular ferry established across the river at Kingston until the year 1752, and at that time the nearest established ferry north across the Hudson was at Albany, and toward the south at Newburgh. Jacob Kipp, who settled at Rhinebeck about 1680, owned a large tract of land there extending for a considerable distance along the river. He, after his settlement there, and until his death, was accustomed to carry passengers across the river without any permit or license. After his death his son Abraham did likewise.

Moses Cantine, who owned Columbus Point on the Kingston side of the river, from about 1740, onward, had also built a dock and furnished boats to transport travellers across the river.

On the 5th day of August in the year 1752, Governor Clinton, in accordance with the prayer of their joint petition, issued a patent to the said Abraham Kipp and Moses Cantine, granting to them, their heirs and assigns forever, "the full free sole and whole power, liberty and authority, privilege and right of setting up, establishing, using keeping and enjoying a public ferry to be duly kept and attended for the conveniency of passing and repassing with travelers and their horses, cattle and goods whatsoever, to and from the said landings of the said Abraham Kipp and Moses Cantine, exclusive of all others to keep and ferry within two miles above and below the said landings," with right to charge fees as therein particularly specified, except that they were not obliged to transport any person, cattle, or goods from the first day of November to the first day of March, after sunset, or from the first day of March to the first day of November, after eight o'clock at night, without double fees, and then only during that part of the year when boats could pass over the river without apparent danger from the ice.

The ferry then established has ever since been conducted and maintained under the old charter, with changes in the character of the boats and their propelling power in accordance with the improvements of the times, and changes of location of termini as demanded for the public convenience.

The first ferry-boat seen by the writer upon that ferry was a periauger, then the horse-boat was substituted, using horse-power to turn the wheels, and the next change was to the steamboat.

On the 27th of July, 1753, the trustees agreed to build a market-house thirty feet long by sixteen feet in width, and appointed Petrus Smedes to superintend its construction. On the 19th day of October, some progress having been made toward the construction of the building, the trustees by resolution granted an allowance to Petrus Smedes of a *gallon of rum* for a morning dram to the workmen. Although they made this liberal allowance for an

"eye-opener," they do not appear to have added anything for a "mid-day strengthener," but they directed a further allowance of "a reasonable accommodation of liquor to the People that shall raise the said market house," or, in other words, provided for a regular old-fashioned "raising bee." In those days the frames were made of hewn oak, not sawn timber, and of such size as not to be manageable without assistance, so the neighbors were called in to help, and, cheerfully responding, were rewarded with thanks and the flowing bowl, turning work into play.

The farmers, too, had their husking bees. As soon as the corn was brought into the barn and severed from the stalk, neighbors were called in to aid in husking. The barn being as well illuminated as practicable by candles, after the ordinary farm work of the day was finished, the gathering of the neighboring friends commenced, and the work began. The jug, or flowing bowl, was frequently passed around, the evening enlivened with songs and stories, and not infrequently followed by a hot pot-pie supper at midnight. The farmer could the next morning contemplate a large pile of corn severed from the husks and ready for the market. Everything of that kind in those days had to be done by hand and without the aid of any of the labor-saving machinery of the present time, and hence the need of extra help outside of the ordinary working hours.

By a law passed in 1743, the southern part of the county of Ulster was divided into three precincts, and an additional supervisor given to the corporation of Kingston and Manor of Foxhall. So that thereafter the town of Kingston, including Foxhall, was represented by two supervisors in the county board during the existence of the colonial Government.

In March, 1753, the trustees became very much troubled in regard to questions that were raised in reference to the legality and jurisdiction of their local court, as the sheriff refused any longer to execute their processes.

They then appointed Messrs. Evert Wynkoop and Jan Eltinge a committee to go and consult with counsel in the city of New York, and if their counsel considered the charter defective, then they were to endeavor to get an explanatory charter. The report of the committee is not given, but it appears not to have been satisfactory, for in May they sent the same committee to consult with the chief justice in regard to the validity of their alleged power to hold a town court under the provisions of their charter, and if they had not the right what proceeding should be taken by them to acquire it. The response they received was against the validity of the charter, and in April, 1754, they sent another committee, Evert Wynkoop and Peter E. Elmendorf, to New York to pro-

cure an "explanatory charter." Although the trustees continued their efforts for many years to procure the charter amendments, they were not successful. But still they went through the form every year, until the formation of the State Government to designate their local court and elect an officer to serve processes, etc. Each year they passed a formal resolution to indemnify him against any suits that might be brought against him on account of the service and execution of such processes. But the trustees do not appear ever to have been called upon to respond for any damages.

In the year 1750, owing to the call for building lots in the village, it became necessary for the trustees to lay out some additional lots. They appointed a meeting to be held on the 6th day of October, 1750, "sun an hour high," at the house of Cornelius Elmen-dorf (corner of Maiden Lane and Fair Street), to see in what manner the house lots along the Armbowery should be laid out, and also to locate a burying-ground for the slaves. (Any trustee not attending was to be fined a pint of wine.)

At that time, without doubt, St. James Street was located, and the burying-ground for colored people designated and laid out, on the west side of Pine Street, about two hundred feet south of St. James Street, where it is now covered by a lumber-yard. It was used as a burying-place for over one hundred years.

On the 6th of October, 1736, the trustees resolved to build a dock at the landing where most convenient for the wood to be drawn, and appointed a committee to see whether "there was wood enough behind the island of Moses Cantine toward the Steep rocks." It is supposed that the dock thus authorized was the first regular dock built, and was located at Ponckhockie, where the Tremper Dock was afterward built, and which was obliterated when some of the present ship-yards in that vicinity were erected.

On the 30th day of May, 1739, permission was given by the trustees to Cornelius Delameter to build a mill on the west side of Rondout Creek above the Twaalfskill, "so far in the Creek that a sloop can come up to it." That, it is thought, must relate to the building of a mill below the falls at the place now called Eddyville.

It is not *on* but *above* the Twaalfskill that the mill was located, and there are no falls in the creek below Eddyville, which is at least a mile above the Twaalfskill.

On the 27th day of November, 1754, the trustees determining to send to England for a fire-engine, appointed Petrus E. Elmendorf to attend to it, and directed that eighty pounds in cash be handed to him for that purpose. It could not be procured in this country

by reason of the English prohibition against the establishment of manufactories on this side the water.

The engine was received in the spring of 1757, and at a meeting of the trustees held on the 15th of May, of that year, it was put in charge of William Eltinge "to take care of the same, and to clean and grease the same, and keep the same in good order, until March next for twenty shillings."

There does not appear to have been a fire company organized at that time to work the engine, but volunteers were to be relied on in case its use became necessary.

In the diary kept by Colonel Abraham Hasbrouck are recorded memoranda of extraordinary storms and unusually severe weather occurring in different years during the eighteenth century, which it may be interesting to notice. It appears also from his diary that there were great swarms of locusts in the several years, 1724, 1741, 1758, and 1775.

He states that "in the month of June, 1724, there was a tempestuous shower attended with great wind and very severe thunder and lightning and rain, together with hailstones as large as pullets' eggs, to such an extent that the fields were in a short time overflowed with water, and grain, apples, and young fruit trees were destroyed." In June, 1751, there was a shower of a similar character.

In the winter of 1737 there was a great fall of rain, which froze on the trees as it fell, and so loaded them with ice that "thousands of them broke in pieces by the great weight of the ice."

On the 17th and 18th days of May, 1758, there was a very great flood of water, and on the 24th day of the same month there was a storm which he thus describes: "Then we had a tempestuous and violent shower with rain wind and hailstones very large. Wind N.N.E. which destroyed all the rye apples and gardens, and almost all the fruit trees are damaged. Almost all the glass lights in the houses and church facing to the N.N.E. are beat to pieces and broken. The very apple trees which are but young the bark was beaten loose by the weight and violence of the hailstones that fell. Some fowls of the air were struck dead by the hailstones that fell upon them."

In the year 1770 there were vast quantities of worms during the month of July, and in 1773 large numbers of caterpillars doing great damage, the caterpillars making special havoc in apple and oak trees.

In October, 1779, there was an unusually great flood, and on the 9th of May, 1781, there was another, which he thus describes: "There was a very high or great flood at Esopus. The Rondout Creek said to be higher than it had been in 88 years past. It was

about three feet higher than the flood of 1779 in October. It washed away a great deal of land, broke the banks of the Creek, carried away the Mill of Petrus Mynderts and did a great deal of damage, in many places horses and cows were lost, fences carried away etc. etc."

It appears also from other sources that the summer of 1760 was a very remarkable one on account of the great rainfall and freshet. The appearance of the grain before harvest gave promise of very abundant crops, but during harvest they were visited with so much and such frequent rains that the greater part of the wheat was grown, and much of it entirely spoiled. The freshet is thus described in a letter dated August 11th, 1760, written by Charles De Witt, of Greenkill: "But of all the showers of rain that ever I saw, I have seen none to equal that on Saturday the 26th ult, when here fell so much that the water came streaming down the street, or rather rolling wave after wave like a small river. My thoughts were very much fixed on the great foundation of the whole globe, when the fountains of the great deep were broken up, and the windows of heaven opened, pouring the water down in such quantities as aged people have not before known. At Twaalfskill it has made great devastation. Old Mr Delametters mill rendered entirely useless, 'till broke down and rebuilt, his son Abram cannot be ready in a short time. Mr John Du Bois fulling mill broke all to pieces. Mr Petrus Smedes mill, in Kingston, the dam broke and gutter gone, £100 will not make that. The whole loss here is very considerable, besides a very melancholy sight to see people's whole dependence of subsistence thrown to pieces. The loss in Mr Delametters mill of wheat, brown flour unpacked etc. I cannot guess."

* * * * *

"This year I think is a very remarkable year worthy of notice, and ought to cause us to reflect on the conduct of our life. It is a very signal visit from the Almighty God, these great rains which have thrown down strong buildings, and the continuance thereof day after day might cause any considerate person to fear that nothing would be left of the harvest the ensuing year; but blessed be God who has yet in mercy left us plenty. May the judgments and mercies of God excite us to an earnest seeking, and deep humiliation, before the throne of grace, imploring that God may be pleased to avert heavier strokes to fall upon our guilty heads which we justly deserve."

At elections for trustees, originally, the votes were taken *viva voce*. In February, 1770, under a law empowering the trustees to regulate annual elections for constables and other officers, a question was raised in the board in reference to the qualifications of voters, and also the mode of voting. The trustees determined that

none but freeholders could vote for town officers who have real estate to the value of forty pounds. As to manner of voting it was ordered that the votes should be given in on paper. One trustee was designated to receive it, another to indorse it with voter's name, then to be entered by the clerk and deposited in a box, the clerk's record to give name of voter and persons for whom he voted. When a voter was challenged, a note was to be made of it, and his right subsequently examined. The next year (1771) it was ordered that for trustees and officers named in the charter, all freeholders, freemen, and inhabitants, who have resided in Kingston for the space of forty days, could vote and give in their votes by ticket. One trustee was designated to read it to the clerk for entry, and another to put it on a thread and deposit it in a box.

In 1772 the rule was changed so that any one challenged was to prove his right by oath before voting, and each party was entitled to appoint two persons to challenge and inspect votes.

On the 28th of October, 1776, Kingston village was visited by a very destructive fire, which originated in the roof of the dwelling-house of Colonel Abraham Hasbrouck, which was situated in the outside western street of the village, now called Green Street, just below its junction with John Street. There being a very heavy wind the fire spread rapidly, and was soon entirely beyond the control of the inhabitants. It consumed everything inflammable about the house of Colonel Hasbrouck ; it crossed Green Street and destroyed the Van Keuren house and blacksmith shop ; it crossed John Street and struck the house of Abraham Low in Crown Street, then in that street destroyed successively in its progress, as stated by Colonel Hasbrouck in his diary, " Abraham Low's house barn and barrack, Johannis Masten's house, Petrus Eltinge's house and barn, where David Cox then lived in a small house, where John Carman had his Silver Smith shop, Jacobus S Bruyn's house and barn, all took fire and consumed, and several other houses in great danger. The loss was very great on the sufferers. Thank God no lives lost, nor any body hurt."

On examining one of the maps of Kingston in a subsequent part of this book, and tracing the route of the fire from Green and John to North Front Street, through Crown Street, it will be seen that it ran over a large territory.

During this century Dutch manners and customs were prevalent. Although in all official transactions and records the English language was required to be used, still, in friendly intercourse, and in the family circle, Dutch was the prevailing language. The Christian messenger expounded the Scriptures, and exhorted men to repentance, from the pulpit, in that language. Social intercourse was free and familiar, unrestrained by the formalities of the pres-

ent day. The social gatherings were usually confined to neighborly afternoon visits, in which the whole afternoon, until an early tea, was passed in social chat, while the knitting-needle was industriously plied in preparing comfortable coverings for the feet. Large evening parties were not common, and when they were held, the time was not spent in dancing by the young, but in plays of different kinds. Dancing was reserved for the ball-room, with music discoursed on the violin. Occasionally, however, a dance was indulged in at private houses to the music of the "*jews-harp*" played by one of the colored gentry of the kitchen. Quilting bees were frequent, when, after spending the afternoon at that work, the quilt and frame would be removed, tea discussed, and after tea the young men would come in to have a jolly time with the girls. Apple cuts were also common in the fall to supply material for apple-sauce and pies for the winter; then the young people also had a gathering for a good time when the work was done.

Although the social manners and customs of those days were simple, and not burdened with the formalities of the present fashionable life, still there were castes and grades in society as strongly marked and as rigidly observed in social intercourse, if not more so, than at the present time.

The holidays—Christmas, New Year, Paas, and Pinxster—were never suffered to pass without notice and the usual observance.

On St. Nicholas or Christkinkle day, which occurred twelve days before Christmas, being December 25th, old style, the fireplace jambs at night were decorated with rows of the children's and slaves' stockings, in expectation of a visit from that liberal old saint.

At funerals, although simple and inexpensive as compared with those of the present day, pipes and tobacco, with some liquor, usually gin, were furnished to the friends in attendance.

Quiet and decorum on the streets were enforced on the Sabbath day; the penalty incurred by its violator was a season for reflection and repentance furnished him in the court-house yard while enjoying the comfort of the stocks.

CHAPTER XIII.

THE KINGSTON CHURCH.

IT seems to be an appropriate time now to revert again to early times, and take a brief review of the progress and transactions of the early settlers and of their descendants, during the colonial period, in the religious field. It is not intended to give a full history of the church, that of itself would furnish material for a volume. But, considering the character of the first settlers, the causes for which they left the luxuries of the Old World for the trials, hardships, and privations of the New, and their object being the enjoyment of that freedom of conscience and religious worship denied them by governments and people on the other side of the water, it is not surprising that the churches organized under such circumstances should have had a great, not to say controlling influence upon the politics and policy of the government and municipalities of the country. It is therefore essential for a complete history that its rise and progress should be briefly noticed.

The early settlers having thus come to this country for conscience' sake and the enjoyment of religious freedom, it is reasonable to suppose that they would be solicitous to procure an early enjoyment of a complete religious organization, with its accompanying services. They brought with them a precentor to officiate on the Sabbath, with prayer and reading selections from the Bible, with commentaries, and to give instruction in the catechism; but that only partially supplied the need, the power of administering the ordinances was wanting. The inhabitants, therefore, addressed repeated and earnest solicitations to the mother church in Holland for the establishment of a church. After a time the Classis of Amsterdam listened to their persistent entreaties, and sent Dominie Hermanus Blom to them in the year 1659. On the Sabbath following his arrival he conducted the services and preached for them twice. The settlers immediately thereafter organized a church, and tendered him a call to become their pastor. The call or invitation was signed by Willem Jansen, Jan Broersen, Dirck Hendriksen, Mattys Roelofsen, Albert Goverts, Hendrich Cornelissen, Jacob Jansen Stol, Thomas Chambers, Juriaen Westphael, Jacob Jansen Stoutenbergh, Jan Jansen, and Cornelis Barent Slecht.

Dominie Blom at once signified his acceptance of the call, and returned to Holland in September, 1659, to submit to final examination, receive ordination, and have his call formally approved by the Classis of Amsterdam.

He returned from Holland on the 16th of February, 1660, bringing with him his license, of which the following is a translated copy :

“WHEREAS it is indispensably required, that the honour of God and the Salvation of men be promoted to the best of our abilities, and for this end religious meetings ought to be instituted and encouraged by the pure preaching of the word of God, the lawful administration of the Sacraments, the publick invocation of the name of the Lord, and what further is belonging to the dutiful worship ; and whereas the Situation of Esopus in New-Netherland requires, that a duly qualified person, be sent thither as a lawfully ordained Minister, who can execute there the ministerial functions in every particular part in conformity to the church Government and the word of God, and in unison with the laudable usages of the Reformed Churches in this country and who is able to maintain and defend these, THEREFORE, We, the Ministers of the word of God and Elders of the congregations of Christ, belonging to the Classis of Amsterdam, after the invocation of the name of God, and in his fear, with the approbation of the noble Directors of the West India Company, after a faithful examination in the principal doctrines of the Christian Reformed Church—and after having received satisfactory evidence of the pious life and requisite talents for the ministry of the Gospel, and after he signed the Netherlands Confession, the Christian Catechism and canons of the National Synod, have ordained the Reverend pious prudent and learned Minister *Hermanus Blom* with the Solemn imposition of hands, to preach there, both on Water and on the Land and in all the neighbourhood, but principally in *Esopus*, the Holy and only Saving doctrine of the word of God, in its purity, to administer the Sacraments agreeably to Christ’s institution, with propriety to give an example to his congregation of publick prayers, to keep them with the aid of his consistory in a good discipline and order, all in conformity to the word of God and the formularies of the Netherland Churches and the Christian Catechism, Soliciting all our Brethren to accept him as a Lawful Brother, and lawfully called Minister of the Gospel of Christ, to honour him for the sake of his Ministry, and to assist him whenever it is in their power, So that he may officiate unmolested and cheerfully, to glorify God’s name and the conversion and Salvation of Souls.

“The Almighty God, who has called this Minister to the Ser-

vice of his church enrich him more and more with all talents and the blessings of his Holy Ghost, so that his labours may be crowned with abundant success, to the glory of his name, and salvation of men, and reward and adorn him, at the appearance of the great Shepherd of Sheep with the never fading crown of eternal glory—

“ Done in a Classical meeting in Amsterdam 16 Febr. 1660

“ In the name and by order of all

(was signed)

PETRUS PROELEUS, Eccles.

Amstelodamensis, et De-

putatorum ad causas In-

dicas P^r scriba”

Immediately after his arrival at Wiltwyck, Dominie Blom entered upon the duties of his pastorate. On Christmas Day, the 25th of December, 1660, occurred the first administration of the Lord's Supper in Esopus, and that was when, on that day, he, Dominie Blom, distributed the sacred elements to his little flock, consisting of Anna Blom his wife, Jacob Joosten, Jacob Burhans, Mattice Blanshan and Maddelyn his wife, Antone Crispel and Maria his wife, Andries Barents and Hillitjen his wife, Margaret Chambers, Geertay Andrise, Roeliff Swartwout and Eva his wife, Cornelis Barent Slecht and Tryntje his wife, Albert Roosa and Weylke his wife.

He appears to have been a man of sincere piety, and especially well qualified for the position he occupied. He soon became very popular, and discharged all the duties devolving upon him with very great satisfaction to his congregation.

In 1661 a building was erected for the church inside of the stockade, at the corner of what is now Main and Wall streets, where the old stone church subsequently stood. It was built of logs, and said to be “substantial and convenient.” It was regularly dedicated for public worship, and there the ordinances of religion were stately administered.

The following year the parsonage was built for the Dominie. It must have been a very comfortable and complete building for the times, costing about twelve hundred dollars. It was undoubtedly built of stone, and the roof covered with Holland tiles, which were in common use at that day for roofs in the mother country, as they appear charged in the statement of the cost of the building. The location of the building is not definitely known, but the writer of the historical sketch in the History of Ulster County must be mistaken in locating it at the corner of Clinton Avenue and Pearl Street. That would place it outside of the stockade. But the list of old and new surveyed lots (see Chapter II.) in Wiltwyck, made out in 1662, locates the minister's house and lot as No. 4 in

the list of old surveyed lots ; consequently, it must have been within the old village and within the stockade. Again, Governor Stuyvesant had just compelled all the inhabitants to build and locate themselves within the stockade as a protection against the Indians ; he certainly would not allow them to locate the dwelling of their clergyman outside of the line of safety. It is true that the Miller map of the stockade, made in 1695, over thirty years subsequent, locates a building outside of the stockade at about the junction of Pearl Street and Clinton Avenue, which he designates as "the minister's house." That forms no evidence that it was built in 1661. Why it was designated as the minister's house is not known. But it is also thus designated in an official order for its repair at the public expense on account of its being used as a court-room.

Although it is thus improbable that the house outside of the stockade, as shown by Miller on his map, was the minister's residence, the question still remains, if not, What was it ? The only plausible answer the writer can give to the question is necessarily mere conjecture.

The treaty of Governor Nicolls with the Indians in 1665, previously referred to, in the third clause required "that a convenient house shall be built where said Indians may at any time lodge without the ports of the said town, in which house the Indians are to leave their arms, and may come without molestation, to sell or buy what they please from the Christians." Thus is a house outside of the stockade accounted for (Chapter IV., *ante*).

Then in September, 1669, as appears in the preceding pages (Chapter IV., *ante*), Governor Lovelace appointed a commission "to go to Esopus and regulate the affairs of that place." That commission, on the 23d of September, made an ordinance whereby the scout and commissaries were strictly enjoined "to repair the *Dominie's house or town house* in Kingston, which now grows ruinous, to prevent further damage, it being of absolute necessity to keep that house in good repair, in regard to the frequent use of it *both for religious duties and civil affairs*." And the repairs were then further directed to be made at *the public expense*. This explains the use to which the "Dominie's" (or, in the English clergyman's language, "Minister's") house was put, which, by his map, is located "without the ports of the said town." It requires no stretch of the imagination to conceive when the great Indian scare was over, that the house designed for their use should also be appropriated for some other public purpose ; and may it not have also acquired the synonym of "the Dominie's house" from the exhortations made therein by the faithful clergyman from time to time to the assembled natives ?

Dominie Blom was at Wiltwyck when the murderous attack

was made by the Indians in 1663, and, regardless of all danger, was particularly active in driving off the savages, and in administering to the wants of the wounded and the dying.

In 1666 he met with a very severe domestic affliction in the loss of his wife. When visiting New Amsterdam, in September of that year, she was taken sick and died there. After that, he determined to leave and return to his friends in Holland, and on the 26th of January, 1667, he resigned his pastorate, giving the loss of his partner as one of the reasons, naming also some irregularities in the payment of his salary. The Consistory accepted his resignation with very great reluctance, and he left at once and returned to Holland. When he resigned the number of members in his church had largely increased.

The church now continued for upward of eleven years without a pastor. The regular Sabbath services were conducted by their precentor. The pulpit was occasionally supplied, and ordinances administered, by a clergyman from Fort Orange or New Amsterdam. The Rev. Petrus Tesschenmaeker occupied the pulpit as a supply for a time in the summer of 1678, and until the arrival of Dominie Laurentius Van Gaasbeek in the month of September in that year. Mr. Van Gaasbeek had been sent out from Holland by the Classis of Amsterdam as pastor to Esopus. He commenced his pastorate and took charge of the congregation immediately upon his arrival. He was a man of talent and education, and very active and zealous in the discharge of his duties. He had charge of the churches of Hurley and Marbletown, as well as Kingston.

The next year the congregation built a new and substantial stone church, 45 × 60 feet, upon what is now the northeast corner of Main and Wall streets; it is said to have been highly finished, and decorated with stained glass, coats-of-arms, etc. It was so far completed as to be dedicated about the 1st of January, 1680. Mr. Van Gaasbeek was taken sick, and died the following month, February.

Dominie Johannis Weekstein succeeded to the pastorate in 1681; he died in March, 1687. He was succeeded in June of that year by Dominie Laurentius Vanden Bosch. He was guilty of such immoralities that a dissolution of his connection was procured in October, 1689.

The church was then without a pastor for about six years, until the arrival of Johannis Petrus Nucella, in 1695. He continued nine years in charge of the churches of Kingston, Hurley, Marbletown, and Mumbaccus, giving a year alternately to each. In March, 1704, he resigned his pastorate and returned to Europe.

This vacancy occurred during the administration of Lord Corn-

bury, and it was at this time, as recorded elsewhere in this work, that an effort was made to force a minister of the Church of England, Rev. Mr. Hepburn, upon the congregation, which signally failed.

In March, 1706, Rev. Henricus Beys arrived, having been sent by the Classis of Amsterdam, and took charge of the congregation. He was neglectful of his duties and remained only a very short time.

In December, 1710, Dominie Petrus Vas arrived from Amsterdam to assume the pastorate. He was a man of learning and ability and well fitted for his work, and under his ministration the church flourished.

The Consistory, with Dominie Vas, in 1712, determined to make an effort to have the church incorporated. They accordingly presented to the governor a petition, of which the following is a copy, and which is here accompanied by a copy of the report made by the Council thereon :

PETITION OF THE DUTCH CHURCH OF KINGSTON:

“To his Excellency ROBERT HUNTER Esq^r Cap^t Gen^l Gov^r in Chief of her Maties Provinces of New York & New Jersey and the Territories depending thereon in America & Vice Admirall of the same &c and the Hono^{ble} Council of the Province of New York.

“The Petition of Petrus Vos Minister of the Protestant Reformed Dutch Church of the Town of Kingston in the County of Vlster Jacob Ausen, Wessell ten Broek Jacob Du Bois Elders Jacobus Elmhendorp, Gerret Wyncoop, Hendrick Praym and William Elten Deacons of the same—

“HUMBLY SHEWETH,

“That the members of the Protestant Reformed Dutch Church in the said Town and their predecessors having for many years since erected a Church in the said Town and dedicated the same to the Worship of God according to the Constitution of the Reformed Churches of the United Netherlands Established by the Nationall Synod of Dort held in the years 1618 & 1619, and have allso purchased about half an acre of ground for a Cemetery or Church yard all at their own Charges & Expenses.

“They therefore humbly Pray for her Maties grant under the great seal of this Province to incorporate them and their successors into a body Corporate and Politick by the name and stile of the Minister Elders & Deacons of the Protestant Reformed Dutch Church, of the Town of Kingston in the County of Vlster as near

as may be to the Charter granted to the Dutch Church in the City of New York.

“And yo^r Pet^{rs} as in Duty bound shall ever Pray &”

“By their order

New York 1st of May
1712.

“HENR BEEKMAN
JACOB AUSEN.”

REPORT OF THE COMMITTEE

Of the Councill on the Foregoing Petition.

“May it please yo^r. Excellency

“In Obedience to yo^r Excellencies Order in Councill of y^e ffirst of May Instant We have Examined into y^e matter Referred to us on y^e Petition of Petrus Vas Minister of y^e Protestant Reformed Church of y^e Town of Kingstown in y^e County of Ulster, Jacob Aerson Wessell ten Brook Jacob Du Bois Elders Jacobus Elmendorp, Gerrett Wyncoop Hendrick Pruym and William Elton Deacons of y^e same praying for her Maj^{ties} Grant under y^e Great Seale of this Province to Incorporate them and their Successors into a body Corporate and pollitick by y^e name and stile of the Minister Elders and Deacons of y^e Protestant Reformed Dutch Church of y^e Towne of Kingstown in y^e County of Ulster as near as may be to y^e Charter Granted to y^e Dutch Church in y^e City of New York, And Wee are humbly of opinion that yo^r Excellencie may Grant the said petitioners the Charter prayed by their said petition Which is nevertheless submitted by

“Yo^r Excellencies most Obed^t humble Serv^{ts}

New York
2^d May 1712.

“A. D. PEYSTER
S. STAATS
R. WALTER
RIP VAN DAM
JOHN BARBARIE
A. D. PHILIPSE”

This report was not acted on, and, subsequently, another petition of the same character received favorable action, as follows :

“May it please yo^r Honour

“In Obedience to your Honours order in Council of this day Referring to us the Petition of Petrus Vas Minister of the Reformed Dutch Church of Kingston in Ulster County, and of Abraham Delameter Captain Wessell Ten Brook, Guysbert Vanderburgh and Thomas Jansen Elders and of Captain Nicholas Hofman, Lambert Cool, Captain John Rutsen and Tirek Van Keuren

deacons of the same Church. Wee have Considered of the same, and are of Opinion your Honour may grant a Patent of Incorporation to the said Minister Elders and Deacons and their Successors forever, for the free use and exercise of their religion and worship, with the like liberty and privileges, as are granted to the Minister Elders and Deacons of the Dutch Reformed Church in the City of New York, with this difference only, that the rents of the lands and tenements, to be held by them, shall not exceed the sum of three hundred pounds per annum. And that you may likewise grant a patent of Confirmation, of the ground and Cemetery or burying place, mentioned in the said petition, under the yearly quit rent of one pepper corn if demanded ; all which is nevertheless humbly submitted by Your Honours most humble and most obed't Servt's

(Signed by)

New York
Nov 16. 1719

" A D PEYSTER
R WALTER
GERARD BEEKMAN
RIP VAN DAM
CALEB HEATH COTE
JOHN BARBARIE
A D PHILIPSE—"

Favorable action came at last, and the second favorable report of the Council was supplemented on the next day, the 17th of November, 1719, by a charter of incorporation duly granted in the name of the king; and signed by Peter Schuyler as President of the Council, etc., incorporating Petrus Vas, Minister ; Abraham Delamater, Captain Wessels Ten Broeck, Guisbert Van der Bergh, and Thomas Jansen, Elders ; Captain Nicholas Hoffman, Lambert Cool, Captain John Rutsen, and Tjerek Van Keuren, Deacons ; and their successors by the corporate name and style of the " Minister Elders and Deacons of the Reformed Protestant Dutch Church of Kingston." It conferred upon them the usual powers of religious corporations in such cases, and confirmed the title to their lands.

Dominie Vas continued with and ministered to his people until his death, which occurred in 1752, in the ninety-sixth year of his age. During the latter years of his life he was assisted by Dominie Mancius as his colleague. Dominie Vas was very successful in his ministry, and the church was largely increased and strengthened. During the early part of his pastorate, the house of worship was very thoroughly repaired, and a small building added to the front called a "doop huys," an appendage which was frequent in those days. It was used, or, at least, designed for catechetical and consistorial purposes, and formed also a convenient lobby or anteroom for the church entrance. The front

door of that addition had for its cap a stone in which were cut the letters

P. VAS. MDCCXXI.,

thus indicating the time of its erection. The stone continued to occupy the position of capstone for the front door of the "doop huys" of the church until some time in the third decade of this century, and was often noticed in its place by the writer, when as a lad he frequently passed under it on his way to church service and catechetical instruction.

The congregation having thus repaired the building, for some reason concluded that they should have a new bell. Whether the old one had been worn out in notifying the inhabitants when it was noon, and in the evening when it was time to retire, besides calling them to the regular religious services, or whether it proved too small for their improved house, of course is now not known, but certain it is that, on the 8th day of April, 1724, a delegation from the Consistory appeared before the trustees of the corporation of Kingston, at their meeting held at that time, and applied to them for assistance in procuring a new bell. That application resulted in the adoption by the trustees of the following resolution :

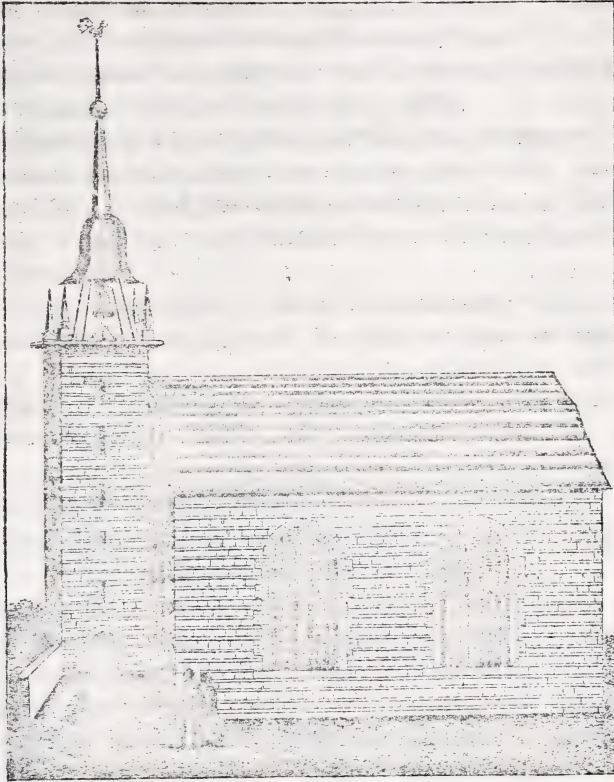
"Resolved, That the Corporation should pay one half of what money shall be wanting with this old bell to purchase a new one ; the Consistory paying the other half, and the said new bell to go for the use of the Church and the Corporation."

The last clause is explained by the fact that the church bell, besides being used for church meetings and funerals, was tolled when a citizen was dying, and indicated his age by the number of strokes, and was rung every day at noon, and also at eight o'clock in the evening for the benefit of the inhabitants. It is presumed, therefore, that the congregation were soon gladdened with the music of a new bell.

The trustees, consisting, as they generally did, of the most prominent inhabitants, always exhibited great liberality to the church. At an early day after their incorporation, they conveyed to the church several hundred acres of land in the northern part of their patent. The precise number of acres cannot be stated ; it is supposed to have been nearly, if not more than one thousand. It was disposed of, from time to time, in parcels by the Consistory, as opportunity offered, they, at times, reserving in their conveyances an annual rent for the benefit of the church. The trustees also afterward frequently aided the church with liberal contributions, some of which will be referred to hereafter.

It appears that under the ministrations of Dominies Vas and

Mancius the church prospered to such an extent that it outgrew its conveniences. The Consistory, therefore, to supply the wants of the congregation, proceeded to enlarge their church and



OLD CHURCH BEFORE THE REVOLUTION, N. W. VIEW OF TOWER END.

increase its accommodations. That building was the one whose interior was consumed by the fire when Kingston was burned during the Revolution, and the old walls were used in the repair or rebuilding. The main building remained standing until 1832, although the "doop huys," projecting from the front far toward the middle of the street, with the marked capstone over the front door, had been torn down a few years previous. The old residents of this place, now living, are therefore familiar with the location of the old church and the character of its walls. It was a very massive structure, with the "doop huys" in front at the south end projecting far into the street, and the bell tower at the north end projecting toward the burying-ground. The walls were all built of the rough limestone so abundant in this vicinity. The main building was not far from sixty feet square. Its walls were from three to four feet in thickness, and the church

was a beautiful model of masonry of its kind. The walls when torn down, notwithstanding the action of the conflagration in 1777, were as firm and solid as when first erected, and the workmen found no easy task in effecting its demolition.

After the death of Dominie Vas, his colleague, Dominie Mancius, continued his ministrations in the church, and discharged the duties of the pastorate in a very acceptable manner until his death, which occurred on the 6th of September, 1762.

Before proceeding any further, it will be necessary to make a short digression in order that the reader may fully comprehend the troubles which, during the next pastorate, arose in the Kingston church, shook it to its very foundation, and threatened its continued existence.

The churches organized in New Netherlands, when under the Dutch Government, worshipped in the manner of the Protestant Belgian established churches, having ministers sent to them from the Classis of Amsterdam. That, of course, was the case with the Kingston church. Under such circumstances the Classis of Amsterdam naturally gave directions, and exercised a certain control over the Dutch Church organizations in this country.

When New Netherlands was surrendered to the English, the eighth article of the capitulation provided that

“The Dutch here shall enjoy liberty of conscience in Divine worship and church discipline.” The Dutch settlers remaining in the country, their churches increased in numbers and in strength, and continued their former mode of worship and discipline, acknowledging their dependence upon the Classis of Amsterdam for the examination and ordination of their ministers, and considered themselves in subordination to their ecclesiastical control.

The *cœtus* was an ecclesiastical assembly of the Dutch churches in this country, consisting of the minister and one elder from every congregation. The fourth clause of the fundamental articles of the *cœtus*, as approved by the reverend Classis of Amsterdam, in 1738, was as follows :

“4. None but ecclesiastical matters, and those in an ecclesiastical way, shall be taken up and decided in the *Cœtus* ; and always in subordination to the Classis of Amsterdam.”

The first *cœtus* met and was organized in 1747, in the city of New York. The *cœtus* soon assumed the regular jurisdiction of a classis in the examination of candidates and ordination of ministers.

The Classis of Amsterdam, denying the assumed power, wrote to the *cœtus* a lengthy communication, of which the following is an extract :

“The Classis then, for mighty reasons which are also approved of by the Synod of North Holland, always have been of opinion,

that the power and right to become candidates, and ordain ministers do, with respect to the churches of New Netherland, belong only to the Classis of Amsterdam, and not to the Cœtus; also that the ministers of the churches are, and ought to be, subordinate to them, and not to the Cœtus. That the Cœtus is an ecclesiastical body subordinate to the Classis of Amsterdam."

The ministry of a portion of the churches—those who disapproved of the action of the cœtus, and acknowledged the exclusive jurisdiction of the Classis of Amsterdam—met for consultation and designated themselves as the "conferentiæ." They held regular sessions and correspondence with the Classis of Amsterdam. Thus was a division created in the Dutch churches. It was not confined to the churches as such, but extended to the membership. Dominie Mancius was a warm supporter of the conferentiæ, and although the congregation of Kingston was divided, a large majority of its members sympathized with the conferentiæ.

The pulpit at Kingston having become vacant by the death of Dominie Mancius, the Classis of Amsterdam, upon the application of the Consistory of the church, sent Hermanus Meyer to them as their pastor. He arrived in Kingston in November, 1763, and at once entered upon his pastoral duties. He is reputed to have been a man of "ardent piety, profound learning, and varied scholarship."

Unfortunately for both pastor and people, he reached his charge at a time when contention and party spirit upon the questions above mentioned were disrupting the entire Dutch Church, and were particularly violent at Kingston.

A majority of the settlers were of Dutch descent, and many of the others were descendants of those who had fled to Holland for an asylum and been harbored there, and as was natural, were strongly attached to the "fatherland" and prejudiced in favor of everything belonging thereto, and opposed to sundering any of the remaining links, however light, by which they might be connected therewith. A majority in the Kingston church, and the entire Consistory, opposed the change, and stood by the "conferentiæ," the organization under the old order, and opposed to the "cœtus."

Dominie Meyer at first attempted to steer clear of actual identification with or manifestation of preference for either party. It is seldom that revolutions of a radical character are ever accomplished without arousing and exciting feeling to the lowest depth, and often unseating reason from its throne. When party spirit in such contests reaches a certain pitch, involving an important fundamental question in the church, or its organization, it is not in the power of mortal man holding the position of pastor long to remain neutral. Something will turn up, or some question or action

will be accidentally or designedly forced upon him, by which he will be placed in antagonism to one side or the other. Such was the experience of Dominie Meyer.

The oath of allegiance, as prescribed by the British Government, contained the following paragraph :

"I do sincerely promise and swear that I will be faithful and bear true allegiance to his Majesty King George the third. . . . And I do declare, that no foreign prince person, prelate, State or potentate hath, or ought to have, any jurisdiction, power, superiority, dominion or authority ecclesiastical or spiritual within this realm."

It was held and insisted by the cœtus party, that subordination to the Classis of Amsterdam was inconsistent with the oath of allegiance, and in taking that oath all subordination to the Classis of Amsterdam was abjured, "and that all those who held themselves subordinate after taking such oath are perjured."

Colonel Abraham Hasbrouck and Abraham Van Keuren, residents of Kingston, and two advocates of the cœtus, but holding no office in the church, made complaint under an English statute, against Dominie Meyer, to two justices of the peace, and demanded that he should be compelled to take the oath of allegiance. Dominie Meyer and four of his Consistory were accordingly summoned, and appeared before the justices. They demurred against taking the oath, and demanded an adjournment for three weeks to take advice of counsel, which was granted by Major Pawling, one of the justices in attendance. They advised with Mr. Crannell, a counsellor residing at Poughkeepsie, who was of the opinion that they were obliged to take the oath, but he desired to consult later statutes, and would then advise further. The further advice did not come within the three weeks, and the oaths were administered and taken. After the deed was done, the further advice from Mr. Crannell was received, that the justices in Ulster had no jurisdiction to take the oaths without a particular authorization. But it came too late. This administration of the oath was followed in a very short time by the marriage of Dominie Meyer to the daughter of Colonel Hasbrouck.

These occurrences took place in the summer of 1764, and put an end to neutrality and all pretence of it. Now the feeling increased in bitterness and intensity daily. To have their pastor the son-in-law of one of their leading opponents, and, as they inferred, under his control, was more than they could stand. The following extract from a letter written by a prominent member of the church, under date of September 3d, 1764, just after the marriage, is some evidence of the feeling engendered :

"The Col., it seems, will now endeavor to gain the Honorable

seat of a Pope, but I hope his mercenaries are too weak to raise him to that exalted station. They have however, though few in number, opened their last and most formidable battery against this peaceable congregation, and have thrown as yet but one bomb into it. I hope it hath done no more damage than throwing the congregation into confusion. The consequence of which is, that such a quarrel is commenced, which I fear never will have an end. You cannot possibly have a proper idea of the dismal situation we are in, unless you were an ear and eye witness. And this is caused by a very few persons, in particular Col Abraham Hasbrouck and Abraham Van Keuren, who, when a call was made on the present minister, refused to contribute a single copper. This we take very hard of the minister, that he should honour such people before his *Kerkenraad* (Consistory), and I may say the whole congregation."

The conferentiæ portion of the congregation were determined in some way to rid themselves of Dominie Meyer, but on consultation with counsel, they found that nothing had been done which would legally justify his removal or forfeiture of his salary. But the ill-feeling and bitterness increased and intensified daily, and it became evident that force would be used if necessary.

Individual fights and broils among excited disputants had become frequent. It soon became apparent that it would not end with individual broils, but if the pulpit was not vacated in some other way, violence would be resorted to in the house of worship. That was a course which the Consistory were anxious to avoid. In the interest of peace, they sent an invitation to the Rev. Gerhardus Cock, pastor of the church at Germantown, to come to Kingston and attend a meeting for the purpose of settling, if possible, the difficulty between pastor and people. He obeyed the summons, and attended in good faith as the messenger and advocate of peace and reconciliation. His errand was unsuccessful. Instead of receiving the thanks of the cœtus party for his kind errand and intentions, two of their number, Levi Pawling and Johannis Hardenbergh, as justices of the peace, issued a precept against him as "*a dangerous person to the Government and a common disturber of the Peace* of his Majesty's liege subjects," and, as such, commanded him "to appear before them and take the oaths prescribed by law." Under that precept he was arrested by a constable and taken before those vigilant guardians of the peace.

Upon his appearance before those liberal dispensers of the hospitality of Kingston, the astonished dominie was required to take the oath of allegiance and supremacy, and in case of his refusal to do so, he was informed that they would commit him to prison unless he paid a penalty of five hundred pounds.

He then chose to take the oath under compulsion, but he did not put such construction upon its terms as to be forced into the cœtus party. He advised with counsel, and was informed that the action of the justices was illegal, and they had no jurisdiction. He then presented a petition to the governor and council, demanding redress and the removal of the officiating justices from office. Whether the petition was ever acted upon by the governor and council does not appear.

In view of the intense feeling aroused in the Kingston church by the compulsory administration of the oath of allegiance and its assumed effect, the reader may feel interested to peruse the opinion delivered by James Duane, an eminent counsellor of that day, written in reference to the case of the Rev. Mr. Cock, and on which, it is understood, was based his application for the removal of the justices. The following is a copy :

“Two Justices of the Peace of the County of Ulster having required the Dutch minister at Esopus to take the oath of allegiance and supremacy, etc and taken them from him, There hath arisen a question whether these Justices, by their commissions as such, had any authority to tender the oath, etc, and if not, whether they are punishable and how ?

“It is supposed that they have founded their authority upon the statute of 1st George, which is in these words,

“‘That it shall and may be lawful to and for two or more Justices of the Peace or any other person or persons, *who shall be by his Majesty for that purpose specially appointed*, by order of the Privy Council or by Commission under the great seal, to administer and tender the oaths, hereinbefore appointed to be taken, to any person or persons whatsoever, whom they shall or may suspect to *be dangerous or disaffected to his Majesty or his Government*, and if any person or persons, to whom such oaths shall be tendered, shall neglect or refuse the same, such Justices or any other person or persons *specially to be appointed as aforesaid*, tendering the said oaths shall certify the refusal thereof to the next quarter sessions of the county, riding, liberty, City Borough town Corporate or place in which such refusal shall be made. And the said refusal shall be recorded among the rolls of the next sessions, and shall be from thence certified by the Clerk of the peace of such county, etc. . . . And that every person, so neglecting or refusing to take the said oaths, shall be from the time of his neglect or refusal taken esteemed and adjudged a *popish recusant convict*, and as such to forfeit and be proceeded against.’

“I have considered all the statutes relating to this subject. I think there is none can give the Justices a colour for assuming a

right to administer the oath, but the clause of the 1st George 1st above recited, and with respect to this, I am of opinion, that it does not extend to the Colonies, not only because it is a penal law, made since we have had our own Legislature, but because it is plain, from the terms of it, that it was intended only for Great Britain, the Navy, Jersey, and Guernsey ; and the sixth section in an especial manner shews that it was not to affect persons beyond sea, or to authorize their qualification *there*. The only method, by which these oaths have been administered here, is by Dedimus under the great seal of the Colony, and the only persons, I believe they ever were exacted from, were the officers Civil and Military.

“Whether the Justices are punishable, in the present case, is another question, as they may have erred in judgment in the construction of this act. Besides, to aim at prosecuting them for tendering these oaths to a foreigner, who was willing to take them, seems to have an appearance not well to be reconciled. Had he refused to comply, and they done anything illegal, by way of compelling him, the case would be something altered.

“Supposing them criminal, the method of punishment would be by information, in the name of the Attorney-General.

“JAS. DUANE.”

William Smith, Jr., another celebrated counsellor, residing in New York, upon similar questions being submitted to him by advocates of the cœtus, in his opinion, stated :

“The laws of Great Britain and this country do not permit the exercise of any manner of authority or privilege, by foreign judicatories, civil or ecclesiastical, within these dominions, besides all the king's subjects are compellable to take the oath of supremacy, wherein they swear that ‘no foreign prince, person, prelate, State or potentate hath or ought to have any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual within this realm.’ And though the primary intention of the laws of this head was to destroy the influence of the see of Rome, yet prohibiting words are broad, and their general policy is such, that in my opinion they will be construed by our Judges to interdict the claims of the Classis of Amsterdam to government of the Dutch Church in this country, and that the subjects who voluntarily submit to the decisions of any foreign, even though a Protestant body, are punishable.

“I think the claims of the Classis to the subordination of those churches, not in the least supported by the articles of surrender or any of the Treaties between us and the States-General. The design was not to vest any power in any body of men abroad, but to secure the enjoyment of certain privileges to those who were con-

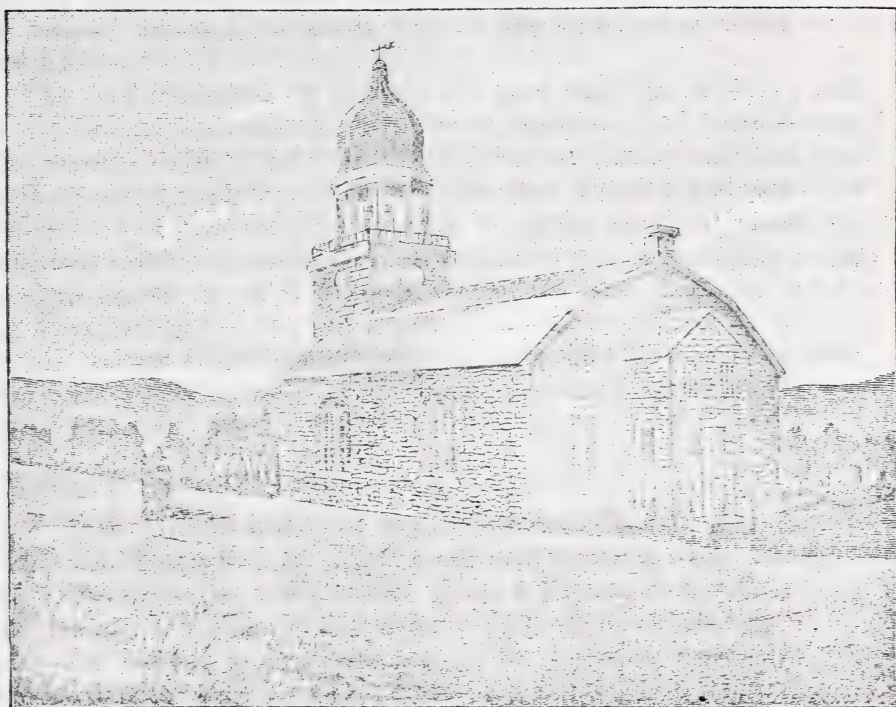
quered, and remained here. This distinction is natural and obvious, if the Dutch churches in this country are undisturbed in their worship, and left to govern themselves upon the Belgic, which is the Presbyterian model, they can justly claim nothing more upon the faith of the capitulation. The words are thus satisfied, and the door shut against the mischief intended to be prevented by our laws against foreign appeals. And this construction will, I conceive, appear to be more solid, if the claims of the Classis of Amsterdam to a Supremacy over the churches, and their denial of any right in those ministers to license and ordain others are repugnant to the word of God, as understood by the Reformed Churches in the United Provinces, and the frame of that Ecclesiastical government they have adopted ; if this can be shewn and perhaps it may, the articles receive an exposition not favorable to the subordination exacted, for it will appear very reasonable to suppose the benefits intended to be secured were consistent with the avowed tenets of their own churches, and according to these sentiments I think the churches here will expose themselves to danger by a submission to, and not by their non-compliance with, the authority challenged by the Classis."

A council of the neighboring ministers of the Kingston church and their elders was convened, and the situation of the church and the difficulties between pastor and people brought before them, and upon their action the Consistory withheld Dominie Meyer's salary, and declared the pulpit vacant. The following Sabbath the conferentiæ people encouraged by such action determined to prevent Meyer from occupying the pulpit at all hazards. They accordingly carried their clubs with them to church, prepared for battle, if necessary. Meyer entered the pulpit as usual, but before the services commenced was notified to vacate. He, noticing the preparations that had been made, and well aware of the determination of the parties, left the desk in tears, and as he came down the steps of the pulpit, repeated the following passage of Scripture : " How often would I have gathered thy children together, even as a hen gathereth her chickens under her wings, and ye would not."

Notwithstanding this rupture, Dominie Meyer continued to preach and perform ministerial services at private houses, until November, 1772, when he received and accepted a call and removed to New Jersey.

As long as Dominie Meyer remained, of course, there was no reconciliation of the parties, and no successful effort made to procure another pastor. After he left the heated passions began to cool, so that in the year 1775 Dominie George J. L. Doll, who was then preaching at Albany, was called. He accepted, and was installed into the pastoral office. Under Dominie Doll the Kingston

church took an independent position, and did not unite with the ecclesiastical assemblies in this country, although the cœtus and conferentiæ had settled their differences and formed a single ecclesiastical body in 1772 with the concurrence of the Classis of Amsterdam. He ministered to the people during the entire struggle for independence, and until he became superannuated in 1808. There were none more zealous than he in the cause of liberty, nor more ardent in advocating the cause of his divine Master, and by



S. W. VIEW OF CHURCH AS REBUILT AFTER THE REVOLUTION, SHOWING
"DOOP HUYS" IN FRONT, TOWER IN REAR.

endearing the people to himself he early in his ministry healed all violent dissensions.

At the sacking of Kingston by the British, the church, of course, did not escape the fury of the vandals, but was visited with the same fate as the other buildings in the place. All that was combustible in or about it was reduced to ashes.

The first care, of course, of the unfortunate inhabitants was for the comfort of their wives and children; but as soon as they had attended to their immediate wants and procured necessary shelter for those dependent on them, the repair of their desecrated house of worship early received their attention. The walls remaining

firm, and having sustained little if any injury, the work of repair was soon commenced, and completed as early as practicable.

Of course their old bell was ruined through the combined influence of the fire and its fall from the top of the tower. Colonel Rutgers, a friend of the church, and whose family had participated before the fire in the hospitality of the inhabitants of Kingston, presented the church with a new bell, which led to some amusing circumstances connected with the procuring and hanging of the present church bell, whose loud but sweet, silvery tones, prior to its present cracked condition, excited the admiration of all who heard them.

The bell presented by Colonel Rutgers was like a ship's bell in appearance and sound, and after it was mounted proved very disagreeable to the inhabitants. They wanted something that was not a constant reminder of the English man-of-war's bell and were determined to have it. The trustees being, as usual, appealed to, promised their assistance. An arrangement was accordingly made through Jacob Leroy & Son, merchants of New York, to obtain one from Holland.

Some time afterward, in 1794, the new bell arrived from Holland, and was accompanied by a letter in Dutch, of which the following is a translation :

“RIGHT HONORABLE SIRS

“Upon your worshipful request, to my friends, the Messrs Jacob Le Roy & Son, of New York, and through their worships presented to me, on your behalf, about a Church Bell with a clapper, for the Congregation of Jesus Christ at Kingston, my brethren ; so I reckon it no small honour to me to have received this request, but at once by those to be in a condition to know and to obey or fulfil it ; and I send the same, insured, by Capt Glicerist of the ‘*Minerva*,’ hoping and wishing that it may arrive safe, and may answer its true design ; so that when, on the day of rest, she lets her voice be heard, the Congregation may diligently come up to the House of the Lord, to hear his word with profit and to make needful use of it.

“This bell, with all its apparatus, was cast within this city ; thus it is a genuine Holland Amsterdam Bell. I have tolled it several times to try it, and the sound of it close by is very good. I have not doubted since, but that when it comes to be hung on high, it will give more satisfaction.

“But you will please to instruct the manager at the hanging up of the same, to mark well that it hangs exactly perpendicular, that is to say, on all sides alike straight up and down ; for if it is turned or hung over too much on one side, a body runs the risk of

cracking it, and this can with caution be prevented by fixing the strap in the right place.

“The account of the cost I have sent to the *Herrn* Jb. Le Roy & Son, and debited their worships for the price. This you will well find with them. Next having myself felt for in your worships’ favor and love, as a brother of our new modelled reformed religion, so I reckon it my honour, with true and friendly greeting, to name myself to you and the dear brothers and sisters,

“Right Honorable Sirs your dear and dutiful servant and brother

PAULUS KUK

“AMSTERDAM, the 10th May 1794.”

The bell as soon as possible was unpacked with great care and raised to its appointed place, and hung with all the skill of their best workman. When it was tolled, however, great disappointment was depicted on every countenance, and the unanimous verdict was that it was good for nothing, that any piece of iron would sound as well.

Many consultations and much discussion were had over the matter, when it was suggested that the trouble rested in the clapper being fastened with a leather strap, sent with the bell, instead of an iron hook ; but the change did not remedy the difficulty.

It was then concluded to return the bell from whence it came. A letter was accordingly sent to Colonel Rutgers, requesting him to make the necessary arrangements for that purpose. The colonel, feeling confident that the trouble rested elsewhere than in the bell, at once wrote and inquired into the manner in which the bell was hung. He then ascertained that it was hung on a straight axis. He at once suggested to them that that was the difficulty, that they could not, with a bell of that size on a straight axis, give sufficient force to the clapper ; it should be hung upon a crooked axis, and gave them the proper directions. The hanging was changed accordingly, and a crooked axis adopted, by which the apex became elevated about midway above the horizontal part of the axis. That solved the difficulty. After the change, the old sexton could bring sufficient strength upon the bell to give the necessary force to the clapper, and bring forth the loud and full mellow tones of one of the best bells ever hung in America. Then the old burghers became satisfied, and smoked their pipes with comfort. Tradition says they turned their Rutgers bell over to the court-house.

A fac-simile of the original bill of lading, in the Dutch language, for the church bell is here inserted as a matter of interest, followed by a literal translation thereof.

Factuur van de onderstaande Metaalen Kerk
klok voor Reekening en Rifico vande Heeren
van Le Roy & Zoon a New York, gelaaden onbeteeld
de Minerva. Capn R B Gillenicht, Lijnde Woorde
Gereformeerde Gemeente te Kingston gemerkt als
in Margene. Weegende als volgt

II. Rez Nij	Nieuw Metaalen Kerk klok		
	Weegende Netto 540 lb 16 Ols	432	—
	Eenjarige kleepel — 29 lb 2 1/2	10.3	—
	Een lederen Riem	2.10	—
	Een vat en Emballage	2.5	—
	Oncosten	446.18	—
	Voord. Rente van assurantie van 500 — 20 pct		
	Police	1.41	—
	Voord. Rente & Schuyter agten totaantwoord. 1.4		
	aan Rapport. fonnuygheden uitgeaan.		
	verrekenen de	13.6	—
		55.10	—
		502.28	—
	Amsterdam 10 Mey 1794 Commissie 2 1/2 pct	13.11	—
		515.19	—
	2 3/4 Gulden in New York	85.19.10	
	Inkomende Leuten al 5 pct	11.3.6	
	Vragtvolgen Connoissement	2.12.9	
	Intrest voor Ses Maanden		
	op 515.19 a 3/4 u 2 1/2	85.19.10	
	5 pct per annum	2.3	—
	Karloon tot aan Albany Rente	3	—
		102.2.1	
	onze commissie 2 1/2 pct	3.1.3	
		105.3.4	
	New York 11 Augustus 1794		
	Jacob Le Roy & Zoon		

TRANSLATION OF BILL OF LADING.

The subjoined bill of a metal church bell, to the account and at the risk of Le Roy & Son, at New York, loaded in the ship Minerva, Captain R. R. Gilchrist, being for the Reformed Church at Kingston, marked as in margin, and weighing as follows :

[J. L. R. & Son]. Bill of lading metal church			
bell weighing 540 lbs. net at 16 per lb.....	/432		
An iron clapper 29 @ 7s.....	10	3	
A leather strap.....	2	10	
A barrel and the packing.....	2	5	
	/446	18	
EXPENSES.			
Premium on insurance for /500 @ 5 per			
cent & policy 1.....	41	-	
For freight by cart and packet to the			
vessel.....	1.4		
For passport, discount, money, export			
tax.....	13.6	55	10
	/502	8	
Commissions.....	2 $\frac{1}{4}$ /	13	11
	/515	19	
$\frac{3}{4}$ per Guilder in New York.....	£85	19	10
Tariff 15 per cent.....	11	3	6
Freight commission.....	2	12	9
Interest for 6 months a/c /515.19 @ $\frac{3}{4}$ is			
£85.19.10 5 per cent per annum.....	2	3	
Cartage to Albany pier.....		3	
	£102	2	1
Our commissions 2 $\frac{1}{2}$ per cent.....	3	1	3
	£105	3	4

NEW YORK, 11 August, 1794.

JACOB LE ROY & SON.

In 1805, before the close of Dominie Doll's ministry, the trustees of the corporation of Kingston appropriated and paid over to the church out of the funds of the corporation, as a present, the sum of £3004 5s., which in the New York currency of that day equalled \$7510.56. This donation, and the origin of it, will be more particularly referred to in another chapter. Whether the liberal donations by the trustees to the church, from time to time, of land and money, really benefited the church, has been often mooted in later years, as much of it was used to satisfy present needs, and discharge the minister's salary and the ordinary expenses of the church ; so that when it thereby became depleted, the church and pastor suffered by reason of the difficulty encountered in urging the congregation to make liberal contributions for the support of the Gospel, to which they had been previously wholly unaccustomed.

In 1808, Dominie Doll was succeeded by the Rev. John Gosman, who officiated as pastor of the church for many succeeding years. He was a man of fine talents, richly cultivated mind, a beautiful writer, and a faithful servant of his divine Master. Until then, the Kingston church stood as an independent church, not connected with the regular judicatories of the Dutch Church in America. In September of that year the great Consistory was convened, and it determined by a large majority to join the General Synod, and the Kingston church has since that time been united with her sister churches in submission to the jurisdiction of the General Synod of the Protestant Dutch Church in North America.

When Dr. Gosman first assumed the pastorate, a question arose which for a time created considerable feeling and dissatisfaction in the congregation. During the latter part of the ministry of Dominie Doll his services were diversified, usually preaching in the Dutch, but occasionally in the English language. When Dr. Gosman was settled, many of the old citizens wanted the use of the church at stated times—once a month, or oftener—to hold service in their mother tongue at their own expense. This privilege was peremptorily refused by the Consistory. While this controversy was at its height, two of the old burghers had a discussion on the subject, when suddenly the advocate of Dutch preaching asked his opponent who was condemning it in strong language, what was the meaning of "*behold.*" He replied, "*to hold fast.*" The discussion then ended with a brief commentary upon his capacity to appreciate and understand the English preacher. This trouble, for a time, created much feeling, and it rankled in the breasts of many of the older members until their removal from earthly scenes and labors. Thereafter, during Dr.

Gosman's ministry of many years, unity and concord were happily prevalent in the congregation.

Some of the early customs of the church in Kingston are set forth in an article published in the Dutch Church magazine, in 1826, substantially as follows: It was the custom in early days "to ring the bell three times a day by way of notice to tidy house-keepers, of their breakfast dinner and supper hours," also "when-ever there was a baptism or a christening, as it was called; and then the minister, with an Elder, and whoever else pleased, went into Church and performed the rite of Baptism." . . . "It was the custom among our forefathers, immediately before ringing the last bell for church service, to be notified by a rap at each door from the ivory-headed cane of the gray-headed sexton, who sang out aloud, "*church-time*;" and for this circuit was paid by each family two shillings per annum. The sexton also carried to the clerk all written requests for the prayers of the congregation. The clerk had a long rod, slit at the end, into which he stuck the notices, and handed them to the minister, who in those days occupied a very high pulpit in the shape of a half globe mounted on the top of a column and surmounted with a sounding-board. The minister wore a black silk mantle, a cocked hat, and a neck band with a linen cambric "*beffy*" on his breast. Cravats were then uncanonical. The first psalm used to be set with movable figures, suspended on three sides of the pulpit. The deacons, when service was ended, rose in their places, the pastor distilling on them the dew of charity in a short address; they bowed, took each a bag fixed to a long black pole, with a small alarm-bell fastened to the end, and went their rounds collecting the contributions. In making contributions at the collections in those early days, there were much used copper coins called *tokens*, being stamped "Kingston Church," which were redeemed at stated times. In those early days the communicants never approached the communion-table unless apparelled in black. It was then also usual to stand round the sacramental board, which was placed at the foot of the pulpit. Instead of an exhortation from the minister after administering the sacrament, the clerk read aloud a suitable chapter from Isaiah or John the Evangelist. The clerk also read a portion of Scripture before the minister came into church, in order to draw the minds of the congregation from worldly matters. The singing was congregational, the leader occupying a desk in front of the pulpit."

In later years, of course, the old customs became obsolete, and the church conformed itself to modern customs and ideas, not in all cases deservedly styled improvements.

CHAPTER XIV.

CAMPAIGN OF 1776.

THE war for independence was now fully inaugurated, and it was no longer a contest for the redress of grievances. The die had been cast which terminated all hope or expectation of compromise, and the result of the conflict, baptized in the blood of patriots, must be either liberty or slavery. Although in the campaign of 1775 the British had been compelled to evacuate Boston, they had successfully resisted the invasion of Canada by the colonial troops, succeeded in attaching the Canadian troops to the royal standard, and through the agency of the Indian chieftain, Brandt, and the sons of Sir William Johnson, had secured the services of nearly all the Indian tribes.

As has been previously stated, when the contest commenced, and it was ostensibly only an effort for the redress of grievances, the British ministry sought to divide and separate the provinces through the influence of a Tory governor and council, and a Tory majority in the legislative Assembly of New York. In that they had signally failed. New York had stood among the first in resistance to the encroachments and oppression of the mother country. The "Sons of Liberty" were early organized within its borders, liberty poles erected, and freedom's flag flaunted to the breeze. The first blood shed in the contest moistened its soil within the city of New York, in the skirmish on the 18th day of January, 1770, between the citizens and the English, on Golden Hill, between Cliff and William streets; and again on the next day when the English soldiers were met and resisted by some of the "Sons of Liberty."

The British Government now sought to accomplish the same division by force of arms. Their plan was to enter the State from the north with an overpowering army through Lake Champlain, and thence proceed to Albany, there to form a junction with another army entering the State with a powerful naval force through the Hudson from the south; at the same time their Indian allies, under Brandt and Johnson, stimulated by the promise of British gold for patriots' scalps, were to carry the tomahawk, scalping-knife, firebrand, destruction, and death through the border settle-

ments. With New York thus crushed, the provinces would be divided, the Middle and Southern cut off from the Eastern, the one section unable to assist the other. Their motto was "Divide and Conquer."

The campaign of 1776 terminated with the southern branch of the invading forces kept at bay below the Highlands, but with New York, Long Island, and much of Westchester County in their possession.

A letter from London, dated September 26th, 1776, describes the progress of the Northern Army, according to the British accounts, as follows: "Burgoyne's army have found it impracticable to get across the lake this season, that the Naval force of the Provincials, upon the lake, is too great for them to contend with at present; they must build larger vessels, and they cannot be ready before next summer. The army will therefore be obliged to winter in Canada. They will be in want of provisions unless supplied from England, and General Carlton has requested that a sufficient quantity be sent. The design was that the two armies, commanded by Gens. Howe and Burgoyne, should co-operate, and both be on the Hudson at the same time; that they should join at or near Albany, and thus cut off all communication between the Northern and Southern Colonies."

General Gates in a letter to the President of Congress, dated the 29th of July, 1776, stated that a French gentleman had just arrived who "left Canada three weeks ago. He says Gen Carlton has summoned all the Canadians to be at St John's the last of August, to go with his army of 10,000 men, *to drive the rebels before them like sheep*, and meet the Grand Army at Albany." General Gates added, "perhaps this may prove a vain boast," and so it did.

Having given a brief summary of the result of the British campaigns in Northern New York in 1776, it will be necessary to turn back and refer more or less particularly to events occurring in the interior, affecting to a greater or less extent the particular subject of this history or its citizens.

The patriots of the Revolution had much to contend against. Not only the well-officered, disciplined, and appointed troops, and British foreign mercenaries on the battlefield and in open warfare, but the country was infested throughout with Tories and British sympathizers, who, living among the patriots as citizens, but loving British gold better than their country, and secretly plotting with, assisting, and furnishing information to the enemy, were ready at any moment for the betrayal of their country or its citizens. The existence of such men in the country, and the consequent necessity of having a force at all times on hand to guard against their machinations, crippled the ability of the patriots to

supply the armies with their appropriate quotas. They did not dare all to go to the battlefield, and leave their wives, their children, and their property at the mercy of those wolves in sheep's clothing. The operations of some of these secret enemies will be brought to light when the proceedings of the Council of Safety shall be referred to in subsequent pages of this work.

General Washington wrote to his brother, under date of July 23d, 1776: "This country abounds in disaffected persons of the most diabolical dispositions and intentions, as you may have perceived, by the several publications in the *Gazettes*, relative to their designs of destroying the Army by treachery and bribery, which were providentially discovered."

The existence of men of such character and disposition led to the following action by the representatives of the people in convention assembled, on the 16th day of July, 1776:

"Resolved unanimously; that all persons abiding within the State of New York, and deriving protection from the laws of the same, owe allegiance to said laws, and are members of the State; and that all persons passing through, visiting, or making a temporary stay in the said State, being entitled to the protection of the laws during such passage, visitation, or temporary stay, owe during the same time allegiance thereto. That all persons members of or owing allegiance to this State, as before described, who shall levy war against the said State within the same, or be adherent to the King of Great Britain or others, the enemies of the said State within the same, giving to him or them aid and comfort, are guilty of Treason against the State, and being thereof convicted shall suffer the pains and penalties of death."

The campaign of 1776 was opened at the mouth of the Hudson, under the most disheartening circumstances for the patriotic cause. General Howe had landed on Staten Island, and soon had an army of twenty-four thousand men gathered round him, well disciplined, and in every respect grandly equipped, and with a large and powerful naval force at hand and ready to co-operate. Within their ranks all was harmony, their troops were flushed with the expectation of an easy victory and a feeling of contempt for their opposing forces.

Washington, to oppose the invaders, had gathered an army of nearly equal numbers, consisting largely of raw, undisciplined levies with very inferior martial equipments, many of them men who had hastened from the plough, the anvil, the saw, or the woodman's axe, to stem the tide of invasion with whatever weapons could be hastily taken. The army thus gathered was composed of men from almost every section of the Union, of many different nationalities and castes, with sectional feelings and prej-

udices, the wealthy and the cultured of one section revolting against meeting on terms of equality the uncultured ploughman and artisan of the other. Patriotic ardor was not sufficient to squelch this feeling of aversion and contempt on the one side, which, wounding the pride of the patriot on the other, gave rise to quarrels and disturbances to such an extent as to call for the intervention of the commander-in-chief.

General Washington thereupon issued the following appropriate address: "The General most earnestly entreats the officers and soldiers of the American army, to consider that they can in no way assist our enemies more effectually, than by making division among themselves. The honor and success of our army, and the safety of our bleeding country, depend upon harmony and good agreement with each other, in the union of freemen to oppose the common enemy and the sinking of all distinctions in the name of an American. To make this name honorable, and to procure the liberty of our country, ought to be our only emulation. He will be the best soldier, and the best patriot, who contributes most to this glorious work, whatever his station and from whatever part of the Continent he may come."

As soon as it became known in 1776 what the tactics of the British would be in the struggle or campaign of that year, Washington made the best arrangement he could with the raw and ill-equipped levies and insufficient forces at his command for the protection of the city of New York and Long Island. It was apparent, however, that the subjugation of those places by the British, with the powerful naval and large land forces under the command of their officers, could be only a question of time. The true American policy adopted was to dispute every progressive step, and yield only when compelled so to do.

Fortifications were manned at different points about the city, and special arrangements were made to prevent the passage of the naval force up the Hudson by the erection of forts on both sides of the river at or near the entrance to the Highlands, and by placing obstructions in the channel and across the river at points commanded by the forts.

On the 16th of July the State Convention, by resolution, directed "that one fourth part of the militia of the counties of Westchester, Dutchess, Ulster and Orange be forthwith drawn out for the defence of the liberties, property, wives and children of the good People of this State." Then, after urging by resolution those who remain at home to render all necessary assistance to the families of those who enlist, the resolution directed that "all the men raised in the Counties of Ulster and Orange be stationed in the Highlands, on the West side of the river, to guard those defiles,

the possession of which Brigadier Gen Clinton shall think most conducive to the safety of the State." The convention at the same time requested General Washington to appoint an officer to take command of all the levies on both sides of the river.

In response to such request, General Washington, on the 19th of July, sent to the convention a communication, as follows: "The State of the Army makes it impossible for me to send up any General officer in the Continental service to take the Command of the levies proposed to be raised; and from the nature of the service, I should apprehend a knowledge of the Country and its inhabitants would be very necessary. General Clinton, *on all accounts*, appears to me the most suitable person; and as the appointment is made dependent on me I shall nominate him." Immediately on the receipt of the above-named communication, the convention "Resolved unanimously, that Brigadier Gen Clinton be and he hereby is appointed to the command of all levies raised and to be raised in the Counties of Ulster Orange Dutchess and Westchester, agreeable to the resolution of this Convention on the 16th day of July last." The convention then, by further resolution, requested General Clinton to call out the troops of horse in those counties, "in order to watch the motions of the enemy's ships of war now in Hudson River."

General Washington, in a letter to the convention, expressed gratification at the approval of his nomination, and further stated in regard to General Clinton that "his acquaintance with the Country, abilities and zeal for the cause are the motives that induced me to make choice of him."

Upon the receipt of the resolutions requiring a levy of one quarter of the militia in Ulster and other counties, Colonel Johannis Snyder, of Ulster County, called his regiment together to set apart the quota of men required. As there was a troop of horse attached to his regiment, a question at once arose, whether they were to be included in the draft, and be thus called on to do militia duty as footmen. They refused to submit to a draft, claiming that after having properly equipped themselves as horsemen, they should not be again obliged to equip themselves as footmen.

The question created a great deal of trouble and angry feeling in the regiment, and threatened its dissolution. In order to settle the question, Captain Silvester Salisbury, commandant of the troop of horse, addressed a letter on the subject to the president of the convention, stating the difficulty, and adding that his men were willing to turn out as horsemen at any time when called upon, but if obliged to serve as footmen, they would dissolve immediately. Colonel Snyder also communicated his views to the president of the convention, urging that the troop of horse

should be subject to command and duties the same as the militia, and closed his communication by stating, "If they should now be excused, particularly in these critical times when all is at stake, we might rather have no troop at all, for the troop are chiefly the principal People, and ought of course to step forth and defend their liberties as well as any of the militia."

The convention on the 3d of August finally settled the question, and "Unanimously Resolved That the troopers in the several troops of horse in the militia of the State, embodied by and under the authority of said State, who have provided themselves with proper horses and accoutrements as troopers, be not compelled to serve as foot soldiers."

The convention allayed all cause of jealousy on the part of the footmen by their resolution of the 8th of August, before noticed, requesting General Clinton to order the horsemen out at once to duty; also, by their general order of the 7th of August, empowering General Clinton to "order out the whole or any part or detachment of the troops of horse, of the said four counties or either of them, for such time or times as he may think necessary, until the last day of December then next, unless otherwise ordered."

Lieutenant-Colonel Johannis Hardenbergh, of Ulster County, was stationed at New York with his regiment, under the command of General Washington, to aid in the defence of that city. His regiment was composed of four companies of militia from Ulster County, and one from Livingston Manor. He was in the brigade commanded by Brigadier-General Scott.

Some of his troops were without arms and without any of the accoutrements of war. On the 9th of August, 1776, Colonel Hardenbergh addressed a letter to General Woodhull, President of the State Convention, informing the convention of the destitute condition of his troops, and that he had done all in his power since he had been in the city to get a supply for them, but had been unable to do so; and he solicited the convention to put him in some way to get a supply for his men, saying that they were willing to allow for it out of their pay.

On the same day that the letter was brought to their notice, the convention gave the necessary order for the supplies to be furnished and paid for out of the soldiers' pay.

On the 12th day of August, 1776, General Washington made an order for the command of the forces stationed in and about the Highlands, as follows: Brigadier-Generals James Clinton, Scott, and Fellows were to be under the immediate command of Major-General Putnam, Brigadier-Generals Mifflin and George Clinton's brigades to be commanded by Major-General Heath.

On the 14th of August General Washington, together with a

brigadier-general's commission, forwarded to General James Clinton the following complimentary letter: "I have the pleasure of forwarding you, by this opportunity, a letter from Congress enclosing your commission for a Brigadier in the Continental Army; on which appointment please accept my hearty congratulations. As the post you are now at [Fort Montgomery] is an object of great importance, and I am acquainted with the officers under you, I must request that you will remain there till you hear further from me."

Kingston, at this time, August, 1776, was burdened with a very large number of state prisoners, and the convention, on the 17th of that month, for the relief of the inhabitants, as well as the safety of the prisoners of war, directed their removal with all possible despatch to Morristown in the State of New Jersey.

General Howe, after his arrival, had located himself with his large and splendidly equipped army upon Staten Island, supported by his brother the admiral with a powerful naval force in the harbor. While waiting for the arrival of his entire forces, he made advances for the settlement of the difference upon the basis of the Americans returning to their allegiance. Congress, however, turned a deaf ear to all propositions not founded upon a full recognition of independence. The British commanders also circulated pamphlets and hand-bills filled with flattering promises designed to create dissatisfaction and dissension among the people. His gilded promises, of course, found many sympathizers and listeners, and through his secret emissaries among them he was kept advised of the American movements, and the disposition and changes of Washington's forces.

As before intimated, the army of General Howe was perfectly disciplined, and supplied with everything necessary for its perfect equipment. On the other hand, the troops of Washington were poorly armed, and consisted largely of raw, undisciplined levies unaccustomed to and impatient of military restraint and hardship. The American forces also, in numbers exceeding the British but little, if any, were necessarily scattered in guarding the many different positions subject to attack and important to be protected and defended.

General Howe, having the full command of the harbor through his naval force, could at any time concentrate his forces at any desirable point and crush its defenders with overwhelming numbers. Under such circumstances the battle of Long Island took place on the 27th day of August, 1776.

Under cover of the night, aided by information gathered from Tory sympathizers, the British were enabled to land at different portions of the island and hem the patriots in on almost every

side. The American troops fought bravely and well, but, surrounded as they were by superior numbers, the result was not at any time doubtful. Those who could escaped; many were taken prisoners, others killed in legitimate warfare, while others were murdered in cold blood by British and Hessian brutes, with the cry of "*No quarter*," when their victims were prostrate and imploring mercy. General Woodhull, President of the New York Convention, and commanding the Long Island forces, a man equally brave and noble, finding himself and men overpowered by numbers, surrendered, and delivered up his sword to a Hessian officer, who immediately raised his right arm, and said to General Woodhull: "Long live the King," to which the general replied, "Long live all of us;" whereupon the Hessian brought down his sword and cut the general down, giving him a wound which, followed by gross neglect and ill-treatment on the part of the British, mortified and proved fatal.

Washington crossed over from New York to Brooklyn, and there witnessed from an eminence the American defeat and the butchery of his soldiers without ability to succor or relieve. He dared not draw his forces from New York, for then if still followed by defeat, the whole country would have been laid open to the invaders.

Those of the American forces escaping reached the fortified camp, and further pursuit was at an end. The armies then rested within cannon-shot of each other. A very heavy rain set in, and it rained incessantly for two days and nights, interfering materially with hostile operations. Taking advantage of the weather, and favored by the darkness of the night and a heavy fog, Washington was enabled to embark the remnant of his forces, about nine thousand men, and land them safely in New York. He attended, notwithstanding the remonstrances of his officers, personally to the embarkation of his troops, and was the last man of the entire force to step on board a transport. The providential fog lifted when the last boat was beyond reach, and the British general had the mortification of seeing his opponents escape, whom he had considered as secure within his grasp.

General Howe has the reputation among historians of being kind and humane, but the battle of Long Island, with the cry of "*No quarter to the rebels*," and the brutal and inhuman treatment of the prisoners subsequent thereto, give evidence of a very different character. If not responsible for the inhuman war-cry and conduct of his troops on the battlefield, he cannot escape responsibility for the subsequent treatment of the prisoners; that was entirely within his control. Happier, much happier, was the fate of the patriots whose life-blood moistened the sod of the

battlefield, than that of those who, escaping death on the field of strife, were saved as prisoners of war, to be murdered by degrees in the vile pens and sugar-houses constituting General Howe's military prisons in New York, where it was common for carmen to come in the early morn and carry away bodies by the load. Those dens, kept by Christianized and enlightened Englishmen under the command of General Howe, are properly rated on a par with the celebrated Black Hole of Calcutta.

The possession of Long Island was the first step of the English general toward the occupancy of New York, and compelled the Americans to marshal their entire available forces. The State Convention had, before taking a short recess, appointed a Committee of Safety, and vested it with authority to exercise all or any of its powers during such interim. That committee took immediate action under such power, and on the 29th of August issued an order that "the Brigadier Generals and commanding officers of the Militia in the Counties of Orange, Ulster, Westchester and Dutchess hold their militia in readiness to march at a minute's warning, with five days' provisions and as much ammunition as possible, there being great reason to fear, that the whole force of the State may be needed to repel the invaders."

On the 1st of September, General Washington, alive to the great emergency and danger of the situation, issued an order calling out the entire militia force of the State. Ulster County had then already contributed largely in men toward the defence of the country. A considerable number of its residents had enlisted and were serving in the Continental Army. Several of its regiments had been drafted and ordered for service, and were in the ranks for the defence of New York. One quarter of the remainder had been drafted and were serving in the passes of the Highlands, and the rest were under orders to march at a minute's notice with five days' rations. Thus was Ulster County situated when General Washington's order was issued.

The Committee of Safety, in reply to General Washington, under date of the 4th of September, express very great concern at their inability to assist further in maintaining the important posts, and give among other reasons for their inability, the following: "That from the best representations they have been able to obtain, the number of armed and well affected militia in those counties (Ulster, Orange, Dutchess, and Westchester) does not exceed 3100; the number of disarmed and disaffected persons, 2300; and the number of slaves, 2300. From a comparison of these numbers and from our firm opinion that the disaffected only want an opportunity of rising, that Gen Howe is actually endeavoring to enlist men in most of those Counties, and that our enemies would not scruple

to stir up the slaves to bear arms against us, it would be extremely hazardous to the internal peace of those counties to draw out at present any more of the militia."

After giving the above and other unanswerable reasons for their inability to assist further in maintaining the important posts, they assure his excellency "that the whole militia of the Counties of Ulster, Orange, Dutchess and Westchester shall be ready to march, whenever your Excellency or Gen Clinton shall think it absolutely necessary; and to inform you that the Committee of Safety will immediately exert themselves in arming *with lances* all such of the well affected Militia as are *destitute* of firearms."

What arms to be thought of as opposing the splendid, well-appointed weapons of England's well-trained, disciplined troops!

At the same meeting in which such letter and assurance were given, the Committee of Safety passed a preamble and resolution, which, after stating that many of the militia in the different counties are destitute of firearms, and declaring it to be the duty of the convention to arm the whole militia in such manner as may prove most formidable, appointed a committee of two from each of the counties of Albany, Ulster, Orange, Dutchess, and Westchester, to procure eight hundred lances for each of said counties. Derick Wynkoop and Robert Boyd were designated as the committee for Ulster County.

Previous to the 6th of September, 1776, the convention of delegates of this State had appointed a committee to visit Forts Montgomery and Constitution, and upon the coming in of the report of that committee at the above date, it was "Resolved that it was of the utmost consequence to the safety of the State, and the general interest of America that a re-enforcement should be immediately sent to the forts Montgomery and Constitution, and that six hundred men should, with all possible despatch, be detached from the Militia of the State, and sent to those forts as a re-enforcement for two months."

The convention designated the quota of Ulster for such re-enforcement at two hundred men. It was also ordered that the colonel to command the re-enforcement should be called from Ulster County, the lieutenant-colonel from Dutchess County, and the major from Albany.

Colonel Johannis Snyder, of Kingston, was designated as the colonel to command the levies. John Bailey, Jr., of Dutchess, as lieutenant-colonel. The major was left for future designation.

The commanding officers of the several regiments in Ulster County, immediately after being advised of the levy ordered, met and agreed upon an apportionment from their respective commands, as follows: Colonel Johannis Snyder's regiment, thirty-

eight men ; Colonel Jonathan Hasbrouck's, sixty-two men ; Lieutenant-Colonel James McLaughry's, fifty-six men, and Lieutenant-Colonel Jacob Hoornbeek's, forty-four men.

In a letter written by him to the convention, dated the 18th of October, 1776, Colonel Snyder stated that he had arrived at Fort Montgomery on the 27th of September with thirty-three men drawn from his regiment, the other five to complete its quota being sick and unable to come. That at the date of writing, he had only three hundred and seventy-nine men in his regiment, leaving a deficiency of two hundred and twenty-one ; he then solicited the convention to order the field officers to forward their quotas immediately.

The following is a list of the officers selected for Colonel Snyder's regiment, drafted for the re-enforcement of the forts under the aforesaid order of the 7th of August. The commissions were not forwarded until the 28th of October :

COLONEL, JOHANNIS SNYDER.

LIEUTENANT-COLONEL, JOHN BAILEY, JR.

MAJOR, — — —.

Ulster.—Captain, Frederick Schoonmaker ; First Lieutenant, Daniel Graham ; Second Lieutenant, Cornelius Van Wagonen.

Captain, William Telfort ; First Lieutenant, William Cuddeback ; Second Lieutenant, Hendricus Terpenning, Jr.

Captain, Matthew Jansen ; First Lieutenant, — — — ; Second Lieutenant, Evert Hoffman.

Orange.—Captain, James Sawyer ; First Lieutenant, George Luckey ; Second Lieutenant, Gilbert Veail.

Duchess.—Captain, Thomas Storm ; First Lieutenant, Eliakine Barman ; Second Lieutenant, — — —.

Captain, Ebenezer Husted ; First Lieutenant, John Wilson ; Second Lieutenant, David Ostrom.

Albany.—Captain, Ithamar Spencer ; First Lieutenant, Henry Irwin ; Second Lieutenant, John Murray.

Captain, John Williams ; First Lieutenant, Philip Staats ; Second Lieutenant, Peter Van Berrigan.

Adjutant, David Bevier.

Quartermaster, Coenraedt J. Elmendorf.

The following copy of a letter, the original of which is in the possession of the author, refers to the adverse progress of events in the lower part of the Hudson, in the month of September :

"HACKENSACK 23d Sepr 1776

"DEAR BROTHER PETER :

"This is the first opportunity I had, since my return from your quarters, to send you a line ; the conveniency of a post and almost every other we are now deprived of. I cannot doubt but you must have heard of the alarming changes hereabouts within the last four weeks past, we have lost Long Island, New York as high up as Harlem and Powles Hook. The event of the two former you must have heard the particulars of. The latter, Powles Hook, was taken in possession by the regulars yesterday four o'clock in the afternoon. Our troops brought off everything but a few pieces of heavy artillery, which the regulars took without heavy loss. They are now in possession of every place above New York that could annoy their shipping, and have a free range up the North River as high as the forts Constitution and Washington, which I hope may effectually prevent their farther progress up, for the safety of my friends in your quarter, but have reason to doubt it. We are now left the open frontier, only a few troops along the banks of the meadows. The enemy have free access to all the ferries on this shore. This, together with the many disaffected persons about this place, occasions many citizens to leave it. Mrs Elting has pressed me hard this day to move her and child with some of my most valuable effects to Kingston. This request, although perhaps very necessary, I am loath to comply with, as it must be attended with so many difficulties. First, we have no communication by water, and almost all the wagons are in the Continental Service. . . .

"Last Friday night about one quarter of the town [New York] was burnt to ashes. It broke out at sundry places near White Hall, followed Broad Street up to Beaver Street on the west side. So up to Bowling green, and for some distance consumed both sides of Broadway. Trinity and the southern churches, with almost every house between Broadway and the North river to near St. Paul's are down. We hear from head quarters that a flag had been sent who informed that it had been done designedly, but not by General orders, and that six men had been shot with torches in their hands and others had been hung.

* * * * *

"Your brother

"PETER ELTING.

"PETER VAN GAASBEEK."

While the country was thus not only alarmed but endangered by the adverse progress of events about the city of New York, on the 2d of October news came from the inhabitants of Papakonk, one of the border settlements, that they were threatened with an

attack by the Indians. Their information or notice was derived from an old squaw, who, being on friendly terms with the settlers, had promised to notify them when any raid might be threatened. The inhabitants at once sent by express to Kingston for assistance, and information was immediately forwarded from Kingston to the convention.

There were nine families in danger, amounting in number, including children, to about sixty or seventy. They were represented, also, to have a large amount of grain and stock on hand, which, unless assistance arrived, they would be compelled to abandon and seek for themselves a place of safety. The convention at once directed the committee of Ulster County to order the rangers raised in the county to proceed immediately to the frontiers, and protect the inhabitants, and further ordered that they expedite the enlistments to fill their ranks.

Besides the preceding specific alarm, the inhabitants of the border towns of Ulster County were kept in continual apprehension of Indian raids upon them, and those who could were moving away from their homes as rapidly as they were able. Johannis Slegt, Chairman of the Kingston Committee, by letter to the representative, Colonel De Witt, called the attention of the convention to that fact in the early part of October. The convention thereupon directed that the committees of Orange and Ulster provide for the defence of their frontier country by detachments from their militia, and the expense would be defrayed by the convention.

But the troubles were not confined to threatened raids by Indians upon the border settlements, the disaffected, and those of Tory proclivities, were taking advantage of the general alarm, and began to move uneasily in their constrained positions. On the 17th day of September information was given to the convention by the resident members, that there were a great many dangerous persons in the counties of Ulster and Orange, and that from testimony taken by the different town committees, it was evident that efforts had been made in that section of the country to enlist men in the British Army. The matter was at once referred to the members of those counties as a committee, "to examine into the matter, and report what steps were necessary to be taken to prevent the disaffected persons from joining or aiding the enemy."

In a few days, however, it became apparent to the convention that something more general and effectual was necessary, and that those two counties were not the only sections of the country thus embarrassed. The matter was thus brought up for consideration by the convention as applicable to the entire State. After some discussion it was determined to appoint a very important committee, with full and plenary powers "to inquire into detect and

defeat all conspiracies which might be formed in the State against the liberties of America, with power to send for persons and papers, call out detachments of troops as they may deem necessary to suppress insurrections, and to draw on the Treasurer to an amount not exceeding £500."

The appointment of this important committee was taken by the convention into its own hands and selected by ballot. The members constituting that committee, thus selected, were as follows: William Duer, Charles De Witt, Leonard Gansevoort, John Jay, Zephaniah Platt, and Nathaniel Sackett. They were fortunately all men who could be safely and confidently intrusted in that delicate and very responsible position.

On the 12th of September, 1776, the Committee of Safety were startled with the information that General Schuyler asked for reinforcements for the Northern Army. In a few days, however, fortunately, General Schuyler countermanded his request, as the contingency upon which it was supposed they might be required did not occur. In the mean time, however, the call had been referred to a select committee, by whom a report was made the next day which contains some data in an official form which may be interesting to the reader, and therefore the important portion thereof is inserted:

"The following drafts have already been made from the Militia of Ulster and Dutchess. Under a resolution of the seventh of June from Dutchess and embodied in Gen Scott's brigade and posted near the city of New York 335 men, and from Ulster 300. A further draft was made on the 19th July of one quarter of the remaining militia of both counties, to form a part of Brig. Gen Clinton's Brigade, and stationed at or near King's bridge. That when in addition the draft of the 7th instant of 175 men from Dutchess, and 200 from Ulster shall be completed to re-enforce forts Constitution and Montgomery, there would not be more than 700 armed and well affected men in the county of Dutchess, and 1000 in Ulster, and that the forts in the Highlands with those reinforcements would still be far from a state of security."

After the capture of Long Island, it was evident that the possession of the city of New York by the British, and also of the county of Westchester, was only a question of time; the convention, therefore, had their attention directed to the safety of the public records, and for that purpose, on the 9th day of October, they appointed a committee of their number with directions to remove, with all possible haste, the records of the city and county of New York, and of the county of Westchester, to Kingston, there to be placed in charge of Dirck Wynkoop, Abraham Hasbrouck, and Christopher Tappen.

On the 10th day of October, 1776, it was ordered that the commanding officer of the militia of Ulster County send three hundred men of his command, well armed, and with three days' provisions, to Peekskill, to continue in service for three weeks. At a meeting of the field officers of Ulster County, on the 13th day of October, Major Andrew Wynkoop was designated to take command of the detachment thus ordered to Peekskill.

As anticipated, the Americans found it impossible to hold the city of New York, and therefore as soon as it was perceived that General Howe was preparing and locating his troops for its capture, General Washington wisely evacuated it. After the occupancy of New York by the British a number of skirmishes were had and some battles fought between the contending forces, without severe loss on either side, except when Fort Washington was captured, then the English took about two thousand prisoners and a large quantity of artillery and army supplies. In one of the battles referred to, which occurred on the 28th of October, Colonel Ritzemas's Ulster County regiment and Colonel Smallwood's Maryland regiment greatly distinguished themselves, and received special honorable mention.

Winter was now approaching, and an ice embargo would, in the ordinary course of events, before long prevent the use of the naval force in the upper Hudson, so that Howe made no attempt to force a passage through the Highlands, but turned his attention to New Jersey and Pennsylvania with the main strength of his army. In order to prevent New England from rushing to the assistance of those States and re-enforcing the patriot army, he despatched Sir Henry Clinton through Long Island Sound to Rhode Island to take possession there, and another detachment to create a like diversion in the South. The size of the army and navy at his command enabled him to do so without danger.

Washington with his army was in a very embarrassing situation; while the opposing forces were flushed with recent triumphs and successes, and exceeded the Americans in numbers and discipline, the patriot army was fast melting away by the termination of enlistment and other causes, and the men, discouraged by recent reverses, could not be induced to re-enlist. The expected reinforcements from other States were not sent, but were retained for the defence of their own borders. This greatly increased the burden upon the State of New York, and especially that portion above and about the Highlands. But little rest was allowed that winter for the usual so-called period of "winter quarters."

On the 3d day of November the Committee of Safety ordered that the militia of Orange and Ulster counties hold themselves in readiness to march at a moment's warning to oppose the invasion

of the enemy on the west side of the Hudson River, and that Brigadier-General Clinton give orders accordingly, and march for that purpose on receipt of orders from Major-General Heath.

Congress having on the 16th day of September yielded to the urgent solicitations of Washington to enlist an army to serve during the war, to be under the commander-in-chief, four battalions had been allotted to the State of New York as its proportion. Ulster County furnished three companies under that call, and they were placed in the regiment commanded by Colonel Gansevoort. The committee on that subject appointed by the State Convention reported on the 23d day of December the progress made, and at the same time recommended that the State Convention request of Congress the privilege to raise a fifth battalion, to be under the command of Colonel Lewis Du Bois, of Ulster County. That suggestion was acted upon favorably by both the State Convention and the National Congress, and the enlistment of the battalion was duly authorized. The officers were Lewis Du Bois, Colonel; Jacobus S. Bruyn, Lieutenant-Colonel; Samuel Logan, Major; and Henry Du Bois, Adjutant. The captains were: Jacobus Rosecrans, James Stewart, Amos Hutchins, Philip D. Bevier, Thomas Lee, Henry Goodwin, John F. Hamtrack, and John Johnston. That regiment was stationed in the Highlands in the spring of 1777, and remained there until the forts were taken.

On the 6th day of November, at a meeting of the Committee of Safety, some resolutions and an address were reported and adopted, to be published at the head of every regiment in General Scott's brigade, and of every company of the detachment commanded by Colonel Snyder. The resolutions and address represented to them the necessities of the service, the situation in which the country was placed, and urged them in the strongest terms to continue in service until the last day of December.

On the 30th day of November a letter was received from General Scott, wherein he stated that from the returns he found that the number in his brigade who were willing to continue in service for another month were too inconsiderable to be retained.

Colonel Snyder's regiment all left for home as soon as their term expired, and of General Scott's brigade only one hundred remained.

At a meeting of the Committee of Safety for the State of New York, held at Fishkill, December 8th, 1776, it was resolved that a committee of three gentlemen be requested to go immediately to George Clinton at New Windsor, vested with full power, in conjunction with General Clinton, to call out the militia of Ulster and Orange counties, and to station them at such places as they may think will contribute most to the safety of this State and the gen-

eral interest of America. Resolved, That Mr. Robert R. Livingston, General Scott, and Mr. Duer be the said committee. Subsequently, on the same day, at a meeting of Brigadier-General George Clinton, R. R. Livingston, Brigadier-General Scott, and William Duer, it was

“Resolved, that all the Militia of Orange and Ulster not at present in the Continental service, and which compose the Brigade commanded by Brigadier Gen George Clinton, be forthwith ordered to march, properly armed and accoutred and with four days' provisions to Chester in Orange County, there to receive further orders from Brig Gen Clinton. That the said Militia be allowed Continental pay, and rations and one penny per mile in lieu of rations 'till they come to the place of rendezvous.

“Resolved, that George Clinton be empowered to make use of the arms and accoutrements belonging to this State, and now at New Windsor, for the purpose of equipping such of said militia as are not armed.

“Resolved that it is the opinion of this committee, that Gen Clinton march, with the militia, the companies of Rangers raised in the County of Ulster, under the command of Captain Jacob DeWitt and Captain Jacob Hasbrouck.

“And whereas in the opinion of the honourable general Congress and from the measures pursued by the enemy, it is evident that the security of the United States depends principally upon the preservation of the State of New York, which can only be effected by preventing the passes of the Highlands on Hudson River from falling into the hands of the enemy ; yet it is the firm intention, and earnest desire of the Convention of this State, to give every assistance possible to any of their sister States or to the United States in general consistent with that grand object.

“Resolved therefore, that it is the opinion of this Committee, that Gen George Clinton be ordered either to join the army under the command of Major General Lee, or Major General Gates, provided it be the intention of either of these officers to form a separate army for the purpose of falling upon the enemy's rear, or cutting off their supplies, and that he vigilantly attend to the motions of the enemy in such a manner, that he may be able to retain the passes of the Highlands on Hudson River.

“Resolved that if it shall be the orders or intentions of Major General Lee or Major General Gates to join the main body of the Continental army, that nevertheless Gen Clinton do forthwith march into the State of New Jersey so far as he thinks consistent with the preservation of the passes of the Highlands, and that he exert himself to the utmost in collecting and rousing the spirits of the militia of the said State, and overawing and curbing its dis-

affected or revolted subjects, whenever he shall be called upon by a proper civil or military authority of said State."

Thus terminated the campaign of 1776 in New York, leaving the Highlands and the river through and above them in the possession of the patriots, and the English invaders at the north retired to winter quarters on Canadian soil.

CHAPTER XV.

INTERNAL TROUBLES AND TORY OPERATIONS.

BEFORE proceeding to any further detail of the movement of armies or the progress of war on the battlefield, there are other matters which properly claim our attention. The matrons of 1776 were exceedingly fond of the good old Hyson, and were very sensitive at being deprived of its use. When patriotism demanded their abstention, to repudiate the right of Great Britain to tax, they could submit, but when that question was no longer involved, and it was the merchant withholding for the purpose of speculation and demanding exorbitant prices, they considered that a very different principle was involved, and resolved that tea they must and would have. The matrons in the old town of Kingston were specially determined in that matter.

In order fully to understand the true state of the question, it will be necessary to refer back to the history of the tea, or, rather, the manner and time in which it came into this country, and the legislation in regard to it.

Before the English duty attached, and before the importation and sale of teas were prohibited, some capitalists had imported and held a large amount thereof in store on speculation in anticipation of a scarcity. Congress, however, prohibited its sale as well as its importation. After the country became involved in war and independence was declared, the holders made application to Congress to remove the prohibition against the sale, and procured the assistance of the New York Convention in memorializing Congress for that purpose. Congress removed the prohibition against the sale, but prohibited its sale at a greater price than six shillings a pound. The holders of the tea refused to sell at such a price, and exhibited a desire to prey upon the wants of the community, or, as expressed by the Committee of Safety, "have refused to dispose of their stock of tea on hand, until such time as an artificial scarcity shall induce the *good women* of this State, to tempt them to vend it by offering exorbitant prices."

It appears by the following that the tea-loving matrons were taking another tack than offering exorbitant prices, and were determined to see what influence threats might have upon the action

of the authorities. On the 26th of April, 1776, a communication was presented to the New York Provincial Convention from Johannis Slegt, chairman of the Kingston committee, in which he stated that "the women surround the committee chamber, and say if they cannot have tea their husbands and sons shall fight no more."

On the 30th of September, 1776, a committee was appointed by the State Convention, on motion of Mr. De Witt, to take into consideration "the abuses committed in the withholding of tea by the owners or agents thereof, within this State, and also in the sale thereof at higher prices than that limited by Congress," with directions to report without delay. The committee made a report promptly to the convention on the 1st of October. The report was read, and after some time spent thereon its further consideration was postponed until the next day. But the convention does not appear to have taken any further action upon the report.

On the 8th day of October, 1776, Johannis Slegt, as chairman of the Kingston Committee of Safety, reported to the convention that a man had been at Kingston to remove some tea which Grodus Beekman had stored in the house of John Elmendorf, and the committee had refused to permit its removal. He further reported that the committee had resolved that no tea stored in Kingston should be removed until the convention took some action on the subject, and in the mean time they would use their utmost endeavors to keep peace and good order.

No action was taken and the people became impatient. Some of the matrons and spinsters in Kingston determined that they would have some of "the creature comfort;" accordingly, a number of them collected together and proceeded in a body to the storehouse of Mary Elmendorf, where they knew it was kept; they forced their way in, and each one, after weighing out what tea she wanted, deposited the price, as regulated by Congress, on the counter, and left rejoicing. This, perhaps, was not the only case of an involuntary sale. But whether it was or not, some complaints which follow will show that there was more or less involuntary disposal of tea to some of the sterner sex without the formality of considering the price.

On the 17th of October the Committee of Safety, sitting during the recess of the convention, had the tea question under consideration, and then ordered "that the Committees of the several Counties take the tea in store within their respective counties, in their possession, and sell it by retail at six shillings a pound, and account for the proceeds to the owners;" at the same time they expressly prohibited the sale of any more than twelve pounds to any one person, for the use of one family. But four days afterward the publication of the resolve was postponed until further orders, so the question remained in *statu quo*.

On the 18th of November Johannis Sleght, as chairman of the Kingston committee, again addressed the convention by letter, stating that "the Inhabitants of this (Ulster) county till within a few days have been distinguished for their firmness and attachment to the resolves of Congress and committees; in short, have been as peaceable, we flatter ourselves, as any people in this State; but it is with regret, that we are under the disagreeable necessity to inform you, that we are daily alarmed, and our streets filled with mobs from different parts of the county, breaking of doors and committing of outrages to the disturbance of the peace and of the good People of this town, owing as we have reason to believe, to the misfortune of having that detestable article, called tea, stowed here, which is taken by them and divided or distributed in such manner as they think fit. We have heretofore assured the good People, that your Congress would pass a resolve for the disposal of that article lodged here; and it is asserted (by what authority we know not) that your Congress had passed a resolve to that purpose, but that before the publication thereof repealed or made void the same, which the People, whom we have had before us, assign in justification of their conduct in the premises. We now entreat you to advise us how and in what manner we shall suppress these disturbances. We will not presume to dictate to your honourable House, but are well assured that if a resolve was to be passed, establishing a price and ordering a disposal thereof, it would tend to the interest of the proprietors, and the peace of the good People of this State.

"By order of the Committee."

It looks very much as if the monopolists in tea had a pretty strong hold upon the convention; for some reason they appear to have been very loath to take action on the tea question. As late as December 3d the fact of the disturbances was again brought to the notice of the convention in a letter written by John Elmendorf, with whom a portion of the troublesome article had been stored. In that communication he declined to accept a trust Congress had by resolution conferred upon him, "for reason of such daily depredations and plunder of private property at my house. You are sensible when such outrages are committed, in having your doors splintered, forced, etc., it is requisite for an honest man, and a lover of his country's rights, to alleviate the distress of my good family with my presence. Nothing grieves me more than daily to observe, and be an eye-witness to such confusion and turbulent dispositions of the people."

The convention does not appear to have made any final disposition of the matter, and a party from Connecticut having three large

packages stored in Kingston of several thousand pounds, made complaint that when he came to take possession one of the packages was entirely gone.

But there are other and more serious internal difficulties to record before proceeding further in the general narrative than the tea episode. The State was cursed with the presence of disaffected men scattered throughout its entire range. Although Tories at heart, many of them lived in apparent friendship with their patriotic neighbors and of the cause of freedom. Ready, however, at any time to betray and sacrifice their country, they had their secret signs, marks, and signals, by which they were well known to each other and well understood by the British spies and emissaries prowling around. They were not all so shrewd, however, as always to escape detection; their doings were occasionally brought to light, the prisons became filled to overflowing, and the gallows was occasionally resorted to to render well-deserved punishment. Prisoners were sent to Kingston from almost every direction, and when its jail was filled to overflowing vessels were anchored out in the Rondout stream and used to take care of the surplus. A company of soldiers was kept constantly on duty to insure their safe-keeping.

The records of a few of the examinations and trials of offenders have been preserved, and narrations of some of the cases will follow. History must necessarily cover the transactions of foes within as well as foes without.

On the 5th day of May, 1777, a preamble and resolution in regard to county committees was passed by the State Convention, as follows :

“Whereas it has been found by experience that the several Committees within this State have greatly contributed to the public security and defence, by expediting the measures necessary for the general weal; and whereas it will be necessary that the salutary influence of such Committees shall be continued until the Government of this State shall be firmly settled and obtain its full energy and vigor

“Therefore Resolved, that it be recommended to the inhabitants of this State to choose such active, spirited and discreet subjects of this State, as they shall deem proper for members of the several Committees within their respective counties, and to continue as members of such committees, until the first day of October next, and although the office of a member of any of said Committees is extremely painful and laborious, yet as the service will expire before the said day, it is most earnestly recommended to the good subjects of this State, cheerfully to undertake, and vigilantly to execute the said offices, more especially as the last hope of our dispirited foes is now grounded upon those intestine divisions,

which they so assiduously labor to promote. By the assistance of which, they expect to accumulate greater evils upon a country, which they cannot subdue, and without which all their diabolical designs must prove utterly abortive."

On the 31st of March, 1777, an investigation was had and testimony taken before the Committee of Safety and Observation of the Precinct of Mamakating, in the county of Ulster, in which the following facts were developed: On the Wednesday previous to the 31st of March, Samuel Waring came to John More and asked him to join in a plot against the Whigs, and explained that the design was to meet with Joseph Barton at the Sussex Court House, New Jersey, on Wednesday of the following week. Barton was to be there with a large number of men. A party was also expected from the north, across the Lakes, with a band of Indians. The war vessels were expected to sail up the river about that time, which would draw all the militia down to guard along the river, and leave the country back unprotected. The men would then divide themselves in different parties, fall upon the unprotected country, and cut off and destroy what they could. It also appeared, in that investigation, that recruiting officers were around, secretly enlisting men in the service of the King under promise of large bounties and pay.

On the 5th of April, 1777, a stranger came to the house of Isaac Low, who kept a tavern in the precinct of New Paltz, and solicited entertainment; he represented that he came from Warrack, in the State of New Jersey. After some conversation he applied to Mr. Low to take him to Mr. Trompoor's, where he had left his horse, and he exhibited a pass under the name of Jacobus Bay. Low declined, on account of the sickness of his wife, but finally agreed to take him part of the way. When they were about starting the stranger wanted to be taken by a route to avoid Kingston; he gave as a reason that he came from New York, and as there was a guard at Kingston, he would be arrested. He then in further conversation admitted that his real name was Goos Quackenboss, and he expected to be a lieutenant; that he had been sent up to fetch people down, and would soon return on the west side of the river with a number of men. Low then took him to Garret Freer, in the town of Kingston, on the south side of Rondout Creek, and left him there. Freer put him forward in his journey, by water, so as to avoid Kingston.

Complaint was made by Cornelius Elmendorf, Jr., to the Committee of Safety and Observation of the town of Kingston, that Jan Freer had, on the 5th of April, conveyed from his house by water, in his canoe, a person justly suspected of being an enemy of the State of New York, and that his father, Garret Freer, had

aided and assisted him therein. Garret and Jan Freer were then cited before the committee. Jan Freer acknowledged that he had conveyed the suspected person away in his canoe, and that his father, Garret, had sent his negro with him to assist. The committee then tendered to both Garret and Jan the oath of allegiance, which they refused to take; upon such refusal they were both committed to jail.

Some time afterward Garret Freer being anxious to visit his home, and having applied for permission so to do, his application was granted upon the terms specified in the following resolution of the Committee of Safety:

“Resolved that the Gaoler deliver Garret Freer to the care of such person, as the Minister Elders and Deacons of the Church of Kingston, shall direct, they engaging to return the said Garret Freer to jail, the evening of the same day they take him out; and that the said Gaoler do again receive the said prisoner, and keep him agreeable to his mittimus.”

In the proceedings of the convention of the 13th of May is the following entry: “Garret Freer, a prisoner confined in the jail below, was brought up and admonished by the President, and a discharge for him delivered to the Sheriff on his paying the fees due.”

On the 8th day of August, 1777, Jan Freer, on account of the dangerous illness of his father, was discharged from prison on his giving a bond, with security in £400 for his future good behavior, and that he would surrender himself whenever required by the Council of Safety or executive power of the State.

On the 9th of April, 1777, Cornelius Newkirk and William McDarmoth, of Wagh Kunk, in the town of Kingston, were cited before the Committee of Safety and Observation charged with certain treasonable discourses. On being separately examined they partially denied the charge. They were then discharged upon voluntarily subscribing and taking the oath, of which the following is a copy:

“I, the subscriber, do most solemnly swear that I renounce all allegiance to the King of Great Britain, that I will be a good and true subject to the State of New York, that I will to the utmost of my power defend the said State against the enemies thereof, and that I will discover all plots and conspiracies against it, which may come to my knowledge, and pray God Almighty so to keep me as I do faithfully and sincerely keep this oath and declaration.”

On their journey home, Newkirk and McDarmoth stopped at the house of Mr. Joseph Osterhoudt, about four miles from Kingston, and lodged there. At that time the houses usually were only one story, and the loft not divided into rooms. To secure privacy

for females, their bedsteads were surrounded with curtains so hung as to be closed all round. Newkirk and McDarmoth retired soon after their arrival, and were shown to their beds in the upper room. There was a bed such as is described above in that room, which bed Mrs. Elizabeth Yeomans occupied ; but it appears not to have been noticed by the two lodgers.

Soon supposing themselves entirely alone, they commenced a confidential talk, which was substantially, according to Mrs. Yeomans' testimony, as follows : Newkirk said, " They take us to be good Whigs, but my heart is the same as before." McDarmoth replied, " So is mine, but we now have taken the oath." Newkirk said, " They read the oath to me several times, but I had taken care that I should not hear it, for I stopt my ears with wool, which I brought from home, as I expected they would offer the oath to me." McDarmoth said, " I did not think so far ; when the oath was offered to me I asked what oath I was to swear ; they told me to be true to the country, and I could do that, and free my conscience, for it is our country, where we were born, but the King is the ruler of the country." They had considerable further talk ; part of it was about hanging a man, and also about keeping an account of all their expenses.

The next morning Mrs. Yeomans gave information of the conversation overheard by her, and the two Tories were again arrested and taken before the committee. Upon examination they admitted the truth of Mrs. Yeomans' statement, and consequently were committed to jail.

It appears by proceedings before the Kingston committee and certificate of Christopher Tappen, that in the latter part of April, 1777, Abraham Middagh called at the house of Jacobus S. Davis, in the town of Marbletown, and inquired of him whether there were any strangers about. Upon receiving a negative reply he stated that Jacob Middagh had come up with him, and was near at hand, and if he would go with him he would bring him to him. They went to the house of Frederick Bush, where they found him.

Jacob Middagh told Davis that he had lately come from New York in order to inform his friends and acquaintances how matters were circumstanced there, and that he would make gentlemen of all those who would go down with him ; that the party who had previously gone with him were encamped at Jamaica, on Long Island, and lived well ; they had provisions of all kinds in plenty ; that every man of family who went down with him to New York would be entitled to one hundred acres of land for himself, fifty acres for his wife, and fifty acres for every son. They would not be obliged to fight unless they were so inclined, but would be

required to take an oath of fidelity to the King of Great Britain ; that the British troops were to move up the Hudson River by land as soon as the country would afford grass for their horses. They wanted Davis to go with them, but he refused. They then told Davis that they were going to his father's house to enlist his brother Jacob, and they left.

Next day Jacob Middagh returned with a number of men, and called at Jacob Davis's house. Middagh stated that Christian Winne had gone to Little Shaudaken to get more men for him, and was to meet him in that neighborhood ; that he would have been away before if Winne had come down. Wilhelmus Merricle and Jacobus Bush were in the company. Merricle encouraged the men who were to go down by telling them that it was a righteous cause in which they had embarked, and endeavored to prove it by Scripture quotations. Jacob Middagh warned Davis that they would be the death of any person who gave information against him or any of his company.

The further history of that expedition appears by the certificate of Cornelius C. Schoonmaker, chairman of the Committee of Observation, etc., of the Precinct of Shawangunk, of examinations had before that committee on the 30th day of April, 1777. Upon the examination of Jacob Davis before that committee, it was disclosed that Jacob Middagh and others came to his father's house on the 23d of April, and asked him to go with them to New York to join the Regulars ; he consented, and immediately got ready to go, and his father provided him with provisions and other supplies needed on the march. They went that night to Shocan. The next morning they went to Jagh Cripplebush, and stopped a little while at Abraham Middagh's ; from thence to Richard Oakley's, where they arrived about nine o'clock in the evening. After resting there awhile they went to William Wood's, in the Coxing Clove, where they met Samuel Freleigh, James Jones, and a Regular officer, who told them that he and Jones were going along with them in the morning. They lodged that night at William Wood's, and the next morning crossed the mountains near the Widow Bevier's, in the New Paltz Precinct. Lieutenant Jacobus Roosa and Jacob Middagh went to the Widow Bevier's and shortly returned. They then proceeded on their way, and were piloted by Joseph Sluyter to Cornelius Du Bois, where they crossed the Wallkill. They took Joseph Freer and John Van Vliet prisoners. After a short parley they let them go, but took their arms from them, and made them swear that "they would not tell on them." They finally reached a barn of Arthur McKinney, where they remained a day and night, while Samuel Freleigh, James Jones, and the Regular went to Major Colden's. The major told them that he

thought it would be impossible for them to get through the guard. Freleigh, Jones, and the Regular officer then left them. On Monday morning they proceeded on their journey, but in the afternoon of that day they were attacked by a company of militia. Jacob Davis and Andries Longyear escaped, but did not know what became of the rest. It also appeared from other testimony that there were twenty-six men in the company.

A large number of the band were arrested, and were tried by court-martial on April 30th and May 1st at Fort Montgomery, charged with "levying war against the State of New York within the same, and of being enlisted soldiers in the service of the King of Great Britain, when owing allegiance to the State of New York."

From the return made by General George Clinton, to the State Convention, of the trial and conviction of the prisoners, dated on the 3d day of May, 1777, it appeared that Jack, a negro man, slave of Gysbert Roosa, with Daniel Reynolds and Peter Aldridge, were by the said court-martial acquitted of the charges brought against them respectively, and that Hendrick Crispell was excused from a trial on the said charges, in order that he might be made use of as an evidence on behalf of the State against other criminals brought before the court. That John Van Vliet, William McGinnis, Cornelius Furier, William Teits, Coenradt Mysener, Andries Keyser, John Rapelye, Sylvester Vandermerken, Jacobus Roosa, Jacob Middagh, and Jacobus Longyear were adjudged guilty of the crimes wherewith they severally stood charged. Alexander Campbell was found guilty of holding correspondence with the enemies of the American States, giving them intelligence and adhering to them, and giving them aid and comfort and secreting them. Arthur McKinney was found guilty of the same crimes, except the charge of secreting them. Silas Gardiner was found guilty of holding correspondence with and assisting the enemies of the said States, and Isaac Lockwood was found guilty of attempting to join the enemy. The court-martial sentenced all who were thus found guilty "to be hanged by the neck until they be dead," except Isaac Lockwood, who was condemned to close confinement in a common jail during the pendency of the war, or until discharged by proper authority.

The findings and sentences were all approved by the convention, except in the case of Alexander Campbell, which was not approved.

On the 12th of May, 1777, the convention passed a resolution pardoning all the condemned persons, except Roosa and Middagh, but directed the pardons to be withheld from them at the discretion of the convention, Council of Safety, or governor of the State, and in the mean time the pardons be kept secret.

Roosa and Middagh were subsequently executed by the sheriff of Ulster County. The others were confined in jail at Kingston ; they were eventually discharged, some at earlier and others at later dates ; some upon taking the oath of allegiance, others upon giving bonds for good behavior, and others upon enlisting in the Continental forces.

In one season during the Revolution a number of Tories and deserters wintered in the mountains at the west end of Woodstock, at a neighborhood called " Little Shandaken." At that time there were only four or five dwellings at the settlement, occupied by Frederick Row and his two sons, John and Peter, and also the Carle family. Frederick Row was considerably advanced in age. He had one negro. The refugees were some twenty in number, and had a log hut near a dark ravine in the mountains, about three miles from the settlement. In order to procure food, whenever a snow-storm occurred they would take that night to go to the settlement and get what they wanted. They were then always careful to wear their shoes wrong-end foremost, so as to make the track of one going into the woods instead of coming out, and again changing the shoes on returning. Row's negro often carried them victuals by order of his master, but he was a patriot, and disliked the duty. In the spring the refugees went to Niagara and joined the British army. Row was a deserter from Captain Elias Hasbrouck's company.

On the 2d day of May, 1777, the convention, after declaring that a number of artful and designing persons in every county in the State were daily endeavoring, by exaggerating accounts of the power of the enemy, and other wicked and criminal practices, to work upon the fears of weak and timid persons, and to betray the liberty of the country, appointed a committee to prepare two or more vessels lying in the river for the reception of prisoners, and arrange to have them properly guarded. They also authorized the committee for detecting conspiracies, etc., to cause suspicious and dangerous characters to be apprehended throughout the State, and confine them on board those vessels ; and they by resolution further declared that any person thus confined who should be found on shore without being properly discharged, would be deemed guilty of felony, without benefit of clergy, and if found guilty by a jury empanelled for the trial, would be immediately executed.

The following orders, made by the committee for detecting and defeating conspiracies, may be of some interest, as showing the usual manner and form of judgment against disaffected and dangerous persons :

" In Committee on enquiring into and detecting and defeating all

conspiracies which may be found in the State of New York against the Liberties of America Jan 29th 1777

“Whereas Matthew Goes Jr and Dick Gardinier are most notoriously disaffected to the American cause and have refused to swear allegiance to the State of New York. And ought not to have an opportunity by returning to their respective places of abode to exert their influence to the prejudice of the American cause

“Resolved that they forthwith be removed to Ulster County and confined at their own expense at the house or farm of such noted friend of the American cause as Charles De Witt Esquire one of the members of this Committee now in the said county shall prescribe. And further that they respectively give their parol of honor to Charles De Witt Esq not to depart from such house without license first had from this Committee or the Convention or future Legislature of this State. And that they will not in the mean time by word or deed directly or indirectly contravene or oppose the measures now pursuing, or which may be pursued by the General Congress or the Convention or future Legislature of this State or others acting under their authority for the establishment of American Liberty. And further that they will neither write nor receive any letters or other papers without immediately showing them to such person or persons as Charles De Witt Esq shall nominate for that purpose

“Resolved that a Copy of the foregoing resolutions be transmitted to Charles De Witt Esq and that he be requested to execute the business thereby committed to him

“By order of the Com

“JOHN JAY *Chairman*”

Although Ulster County was thus annoyed with Toryism, still they were not troubled to the extent their Whig friends were in the neighboring precinct of Rhinebeck, Dutchess County, where, as appeared by a letter of Brigadier-General Petrus Ten Broeck, the Tories were in open rebellion, and refused to obey the orders of the constituted authorities. At a meeting of the Committee of Safety, held on the 3d day of January, 1777, it appearing that the greater part of the privates in Colonel Graham's regiment of militia residing in Rhinebeck Precinct, in the county of Dutchess, refused to obey the resolutions of the Convention of the State, by which they were ordered to the defence of the passes in the Highlands, and also prevented those who were well affected from obeying said resolutions. A commission was appointed with full power to compel the obedience of the disaffected persons, and to tender to them an oath of allegiance in the particular form prescribed in the resolutions of the Committee of Safety. Such of them as re-

fused to take and subscribe to the oath were to be disarmed and arrested.

In order to furnish the commission with the necessary power to enforce their orders, the Committee of Safety ordered General Clinton to dismiss two regiments of militia belonging to the north end of the county of Ulster from their then duty, and directed that two hundred men be drafted thereout, put under the command of a field officer, and ordered to repair to the Flats in Rhinebeck on the 13th of January, and be under the direction of the commission appointed as above stated. The commission was also authorized and enjoined to order the detachment of militia to fire upon, and otherwise treat as open enemies, such of the disaffected persons as persisted in their refusal to obey the authority of the State.

The Ulster County militia repaired to their post of duty, and the trouble appears to have been settled without proceeding to extreme measures.

Peter R. Livingston, of the Manor of Livingston, on the 2d day of January, 1777, reported to the Committee of Safety in regard to his regiment, that "upon the strictest inquiry the whole regiment, except a precious few, are so reluctant, and most of them so disaffected, that little or no dependence can be put in them; numbers daily riding about the county, huzzaing for the King and drinking his health in the taverns."

Such is a sample of the internal difficulties our ancestors had to contend against, with a powerful enemy ready to batter at their very doors.

The following are inserted to show some of the proceedings of the Committee of Safety and of the convention, rendered necessary by the Tories and their machinations, and the requisite provisions to put them where they could do the least harm:

On the 28th day of March, 1777, the convention ordered that a body of two hundred men be raised to guard the Continental ships at Esopus Landing, and the public records and Treasury of this State, against the designs of disaffected persons, as well as to guard the different passes and roads frequented by those persons for the purpose of conveying intelligence and going over to the enemy.

On the 29th day of April, 1777, the convention further ordered that one hundred and ninety-eight able-bodied men, well accoutred, and armed with a good musket, a fuse, a sword or tomahawk, a powder-horn and bullet-pouch, or cartouch-box, be raised to serve in the county of Ulster, to be divided into three companies, to continue in service until the 15th day of July next, unless sooner discharged, to be subject to the order and direction of the convention, the Committee of Safety, or future executive power of the State.

That they be divided into three companies, forming one corps. Of first company that Evert Bogardus be Captain, Edward Schoonmaker First Lieutenant, and Cornelius Du Bois Second Lieutenant ; of second company that Isaac Belknap be Captain, — Roosa First Lieutenant, and Abraham Schoonmaker Second Lieutenant ; and of the third company that Frederick Schoonmaker be Captain, Zacharias Hasbrouck First Lieutenant, and John C. De Witt Second Lieutenant.

CHAPTER XVI.

ORGANIZATION OF THE STATE GOVERNMENT.

THE year 1777 furnishes for record as important and interesting events as have ever occurred in the colonial or subsequent history of this State, whether considered in a civil or military sense.

From a civil point of view, it witnessed the formation, perfection, and putting in full and complete operation one of the best constitutions and State governments that has ever been framed.

Viewed from a military standpoint, it chronicled the defeat and capture on its soil of one of the finest armies that Great Britain ever sent to America, and thereby taught the world that English troops and their hired hosts were not invincible when brought face to face with men determined to be free, and it further assured the final triumph of American arms and the cause of liberty.

The convention charged with preparing and perfecting a constitution or government for the people, had, on the 1st day of August, 1776, by resolution, delegated the important task to a committee of their number, consisting of Messrs. Jay, Hobart, William Smith, Duer, Morris, R. R. Livingston, Broome, Scott, Abraham Yates, Wisner, Sr., Samuel Townsend, De Witt, and Robert Yates—confessedly the strong men of the convention.

The committee were also directed to prepare and report at the same time, as the foundation for such form of government, “a Bill of rights and privileges for the good people of this State.”

After the English had captured New York, and acquired by their naval forces the full control of the Hudson River below the Highlands, and also of the East River, the New York Convention retired to Fishkill, and there held their sessions. Finding insufficient accommodations at that place for the members of the convention and those whose business required their attendance, a committee was appointed to select a more convenient locality.

The committee, on the 31st day of January, 1777, reported that at Kingston fifty members could obtain good accommodations at twenty shillings a week, and a large room in the Court House would be convenient for the meetings of the convention; that only thirty members could be accommodated at Poughkeepsie, but the Episcopal Church would furnish a convenient place for meetings.

The report came up for consideration at Fishkill on the 11th of February, 1777, when the following preamble and resolution were adopted :

“Whereas the many great and momentous affairs now under consideration of the Convention, have occasioned a call of the house, and require the advice and assistance of all its members, and this village being too small to afford proper accommodations for the Convention and those who have business with the public :

“Resolved therefore, that this Convention will adjourn from this place to Kingston in Ulster County, to meet on the nineteenth instant, and all the members of Convention are peremptorily required to give their attendance accordingly”

It was further directed that the absent members be informed that “it is the intention of the house, as soon as they meet in Kingston, to proceed to the business of forming a plan of government.”

The Committee of Safety met in Kingston on the 19th day of February, 1777.

The Provincial Convention convened in Kingston on the 6th day of March, 1777. In the proceedings of the convention the place of meeting is not designated. There can be no doubt that it was at the Court House. That was the place designated for the meetings in the report of the committee recommending removal to Kingston ; and it was certainly the place of meeting on the 18th of March, when the convention, on motion of Gouverneur Morris, adopted the following preamble and resolution : “Whereas from the past want of care in the prisoners now confined in the jail, immediately underneath the *convention chamber*, the same is supposed to have become unwholesome ; and very nauseous and disagreeable effluvia arises, which may endanger the health of the members of this convention therefore

“Resolved that for the preservation of their health, the members of this convention be at liberty, at their pleasure, to smoke in the convention chamber while the House is sitting and proceeding on business. On motion of Mr Jay, Resolved that Capt Platt, Mr Cuyler and Mr Duane be and are hereby appointed a committee, to devise ways and means for cleaning the jail below and removing the prisoners.”

On the 18th of March the committee reported ways and means for cleaning the jail, and they were agreed to.

At the same meeting resolutions were adopted appointing commissioners in the several counties for taking into possession and exposing for sale the personal property of persons gone over to the enemy, the net proceeds to be deposited in the treasury, to be thereafter paid to the respective owners, or otherwise disposed of

at the discretion of the Legislature, leaving, however, to each of the families of the persons aforesaid their apparel, necessary household furniture, and such provisions as will be sufficient for their subsistence for three months.

Patrick Barber, Benjamin Smedes, Jr., and Johannis Slegt were appointed commissioners for Ulster County.

On the 13th of March, 1777, Captain Platt, Major Lawrence, and Mr. Duane were appointed a committee to inquire into the circumstances of the prisoners confined at Kingston, and to administer the oath of allegiance, and to discharge such as may appear to be within the intention of the former resolutions of the convention.

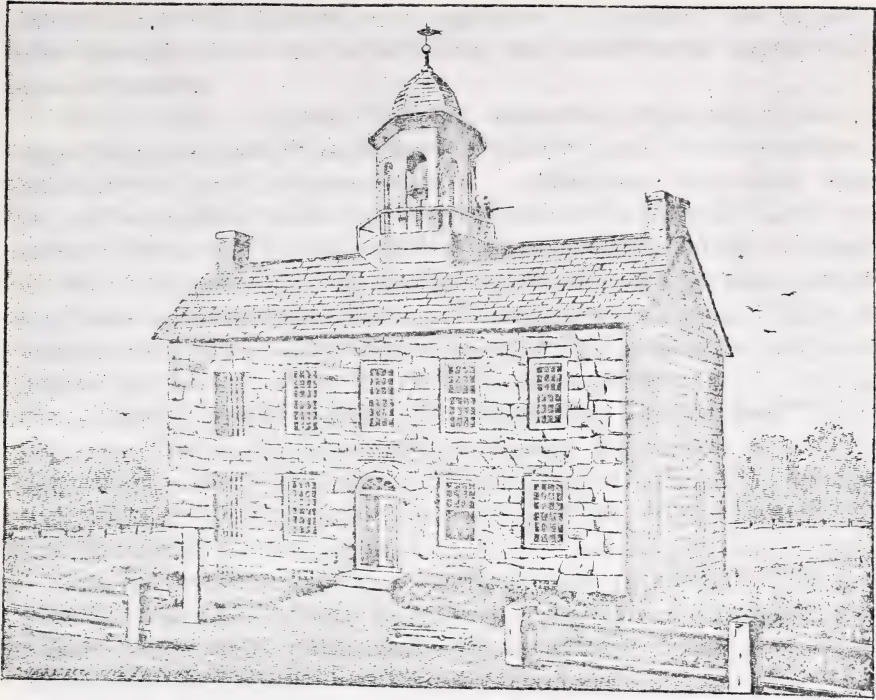
On the 12th day of March, 1777, the committee which had been appointed in the early part of the session to prepare and report a plan or form of government, presented their report to the convention. After being read, it was, on motion of Colonel De Witt, laid on the table until the next morning, and ordered that the same be then taken under consideration.

The next day, the 13th, the convention proceeded to the consideration of the reported plan of government, and thenceforward continued from time to time to consider it paragraph by paragraph, and made sundry amendments thereto, until the 20th day of April, 1777, when it was read throughout, and the proposed amendments were unanimously agreed to. The question was then put upon the adoption of the constitution as amended, and it was adopted by the affirmative vote of every member present except Peter R. Livingston, who requested that his dissent thereto be entered on the minutes.

This important act occurred on the Sabbath day, revolutionary times knowing no day of rest. It was then ordered that the constitution of this State be published at the Court House on the ensuing Tuesday morning at eleven o'clock; and the convention further directed that the Kingston committee be furnished with a copy of the resolution, and that they notify the inhabitants thereof.

On Tuesday, the 22d day of April, 1777, the members of the convention, together with the people in the vicinity, were called together by the merry peal of the church and other bells in the village, to listen to the reading and promulgation of the constitution of the State in front of the Court House.

Preparatory to such meeting, the local authorities had for the accommodation of the officers erected a platform consisting of a few planks resting on barrels. At the appointed hour Colonel Pierre Van Cortlandt, Vice-President of the Convention, and Robert Berrian, one of its secretaries, mounted the primitive rostrum, and the secretary at once proceeded to read the document in the presence of the assembled people. Thus was New York placed



THE OLD COURT-HOUSE IN KINGSTON.

under a model constitutional government, and all the sacred rights of freemen guaranteed to her citizens.

The constitution thus promulgated was truly a model for completeness and perfection in whatever light it may be considered, whether viewed simply as declaratory of the rights of the citizen, or as a system of government separately, or both combined. It stood the test of nearly half a century without any fundamental amendment. No subsequent constitution of the State can be said to be any improvement upon it, except in regard to such changes as became necessary by reason of the enormous increase and changes in population, wealth, and business, fostered and produced by its own wise and beneficent provisions.

Kingston has the honor of having been its birthplace, Charles De Witt, a representative from Ulster County, with being one of the members of the distinguished committee who prepared and reported the same to the convention, and Christopher Tappen, Matthew Rea, Matthew Cantine, Charles De Witt, and Arthur Parkes, delegates from Ulster County, with being among those who attended and participated in the revision, perfection, and final adoption of the instrument as the Constitution of the State of New York.

A committee, consisting of Messrs. R. R. Livingston, Scott,

Morris, Jay, and Hobart, was appointed to prepare and report a plan for organizing and establishing the government agreed to by the convention.

On the 30th of April, 1777, the committee reported a plan for organizing and establishing the government, and the convention at once entered upon its consideration. After some time spent thereon, in accordance with the suggestions of the report, they proceeded first to the formation of the Committee of Safety, to consist of fifteen members, to be clothed with full and plenary powers, until the complete organization of the State government. The convention then proceeded to the election of the members of such committee by ballot. The following named persons were elected: John Morin Scott, Robert R. Livingston, Christopher Tappen, Abraham Yates, Jr., Gouverneur Morris, Zephaniah Platt, John Jay, Charles De Witt, Robert Harper, Jacob Cuyler, Thomas Tredwell, Pierre Van Cortlandt, Matthew Cantine, John Sloss Hobart, and Jonathan G. Tompkins.

The convention then proceeded to the appointment of some judicial and other officers, as follows: Robert R. Livingston, chancellor; John Jay, chief-justice; John Morin Scott and Robert Yates, puisne judges; but General Scott refusing to accept, John Sloss Hobart was elected in his stead, and Egbert Benson was elected attorney-general.

On the 5th and 6th of May the convention proceeded to the election of various local officers, including, among others, Egbert Dumont, sheriff; Levi Pawling, first judge; and Derick Wynkoop, associate judge of Ulster County. George Clinton when a young man had been appointed clerk of Ulster County by the old colonial Governor Clinton, and still continued to hold such office. He was continued in the same office by the convention.

On the 8th day of May, the convention, by resolution, directed the sheriffs of the several counties to give at least ten days' public notice of an election to be held in each county, "for Governor Lieutenant Governor and Senators, by the Freeholders thereof, qualified as is by the constitution prescribed, and for Members of Assembly by the People at large."

The convention designated the places for holding the polls in the county of Ulster, as follows: At the Court House in Kingston; at the house of Ann Du Bois, in New Paltz; at the house of Sarah Hill, in Hanover Precinct, and at the house of Martin Wygant, in the Precinct of New Burgh.

On the 5th of May quite an excitement was raised in the convention upon a question of breach of privilege. The House was informed that one of its members, Colonel De Witt, was detained in custody of a guard of militia. The doorkeeper was sent to

inform Mr. De Witt that his immediate attendance in the House was required. Colonel De Witt informed the House that he had that morning been taken in custody by a guard of militia, under command of Captain Gerardus Hardenbergh, as a delinquent who had not furnished a draft for the militia. Gerardus Hardenbergh was at once summoned, and upon appearing was asked by what authority he took Colonel De Witt, a member of the House, in custody. He produced a warrant directed to him and issued by Colonel Jonathan Elmendorf, and said he thought it his duty to obey all orders from his superior officers. Colonel Elmendorf was then summoned. He produced the list of delinquents in Colonel Snyder's regiment as the same was transmitted by Colonel Snyder to him, which included Charles De Witt's name. Captain Hardenbergh was called up and asked whether Colonel De Witt was included in the list of delinquents reported by him to Colonel Snyder. He answered in the negative, but said that Colonel De Witt's negro Pete was on the list. The House then requested General George Clinton to direct Colonel Johannis Snyder to attend the House without delay. Colonel Snyder not attending before the adjournment, it was ordered that the subject-matter be referred to the Committee of Safety to hear and determine thereon.

Colonel Johannis Snyder attended before the Committee of Safety on the 23d day of May, 1777, in reference to the preceding breach of privilege, and after examining witnesses and hearing the explanations and statements of the different parties, it was by the committee "Resolved, That the said Colonel Snyder, Lieutenant-Colonel Elmendorf, and Captain Gerardus Hardenbergh are guilty of a high breach of the privileges of the convention of the State of New York—

"Resolved That the conduct aforesaid, of the said Johannis Snyder, appears to this committee to have been unwarrantable, with respect to his general, affrontive with respect to the late convention of this State, and malicious with respect to the said Charles De Witt.

"Resolved that the foregoing state of facts, and resolutions, be laid before the council for the appointment of officers, at their first meeting."

Many of the inhabitants of those portions of the State which had been occupied by the enemy had, on account of their Whig tendencies, and support of the cause of freedom, fled from their homes and left their all behind. The convention very properly took action in their behalf, and on the 8th of May, 1777, after reciting that, "Whereas a regard to the sacred cause in which we are engaged, as well as common justice and humanity, dictates the propriety of adopting some mode of relief for such of the inhabitants of

the State, as have, by the hand of tyranny and injustice, been driven from their habitations, and deprived of their substance, and thereby rendered unable to support themselves," by resolution appointed two commissioners for each of the counties of Westchester, Dutchess, Ulster, and Orange, to take the general superintendence and care of all such poor as aforesaid, in each of the respective counties for which they were appointed, with power, in said counties, to draw upon the State treasurer for a sum not exceeding five hundred pounds for each county. The commissioners appointed for the county of Ulster were Cornelius C. Schoonmaker and Johannis Slegt.

On the 15th of March the convention empowered the different committees within the counties of Ulster and northern parts of Orange, whenever they should deem it necessary for the advancement of the public service, to issue a warrant to impress such horses and wagons as they might deem necessary. They at the same time authorized and empowered the committee of Kingston to cause the two block-houses within the said town to be repaired and fitted for the accommodation of any sick soldiers of the United States who might pass that way, and transmit the account thereof to the convention, or some future Legislature of the State, to make provision for the payment thereof.

Experience having exhibited the necessity of some troops being subject to the orders of the Committee of Safety, it was ordered that a company be raised in the county of Ulster, to consist of one captain, two lieutenants, three sergeants, three corporals, one musician, and fifty privates, to be properly accoutred, and be under Continental rules and regulations. They were to perform the military service required of them by the Committee of Safety; and the committee was desired to recommend officers.

On the 11th of May the convention received a letter from General George Clinton, dated the 9th instant at Fort Montgomery, requesting leave of the convention to resign his commission of brigadier-general of the militia of Ulster and Orange counties, for reasons assigned in the letter. On the 13th of May the convention declined to accept General Clinton's resignation, and directed the Committee of Safety to write to him assigning the reasons for their refusal, among others that the high sense the convention entertained of his abilities to serve his country at this important hour forbade their complying with his request at present.

On the 13th of May, 1777, the State Convention dissolved after the adoption of a resolution directing the Committee of Safety to assemble at Kingston the next day.

On the 24th of June, 1777, a party of Indian warriors, who had been on a visit to Washington's headquarters, made a brief stop at

Kingston on their way home, when they appeared before the Committee of Safety of the State of New York, and were addressed by the president, as follows :

“Brothers, we are but a small part of the Great Council of the State of New York. The rest of our brethren have left us here to do the public business. Our Great Council have gone home to attend their own business, and are to meet here on the first day of the next month. We are sure they would have been glad to meet their brethren the Senecas in the Grand Council.

“We are sorry to hear that you are obliged to leave this place so soon. It would have given us great pleasure to smoke the pipe of friendship with you, and to have assured you further as we now do, of the determination of our Great Council to keep the road open between your nation and us, and to keep bright the chain of peace, as it has been between your and our forefathers.

“We commend the wisdom of our brethren the Senecas in appointing you to repair to our chief warrior and see the situation of our affairs. We hope you have found us strong for war, and that the enemy are so weak and so much in fear of us, that after coming out of their lines, they have been obliged to retreat precipitately to them without doing our army any mischief. You will now be able to contradict the false reports concerning the enemy’s strength and our weakness, which their wicked emissaries have artfully attempted to spread through the Indian nations.

“Brothers we wish you a good journey. Assure our brothers the Senecas, and the rest of the Six Nations of our friendship, and accept this small acknowledgment of the regard we have for you.”

At the election held in the State of New York in the year 1777, for the choice of the first governor, lieutenant-governor, and senators, under the constitution lately adopted and promulgated, there were, besides a very few scattering votes, 3762 votes cast for governor, of which George Clinton received 1828 ; Philip Schuyler, 1199 ; John M. Scott, 368 ; John Jay, 367.

There were 3491, besides a few scattering votes, for lieutenant-governor, of which George Clinton received 1647 ; Pierre Van Cortlandt, 1098 ; A. Ten Broeck, 746.

The vote in Kingston stood : For governor, Clinton, 66 ; Scott, 33 ; Schuyler, 10. For lieutenant-governor, Van Cortlandt, 63 ; Clinton, 27 ; Scott, 14.

Thus it will be seen that Clinton was nearly the unanimous choice of the electors for either the one or the other of those offices. Nearly all those who preferred Schuyler, Scott, or Jay for governor selected Clinton as their choice for lieutenant-governor. That was an election truly without a parallel.

On the 9th day of July the Committee of Safety, having examined

the poll lists and ballots returned by the sheriffs of the respective counties of the several elections held in the said counties for governor and lieutenant-governor, and also for senators, did declare that George Clinton was duly elected governor of the State, and that he was also elected lieutenant-governor; that in the middle district, of which Ulster County formed a part, Levi Pawling, Henry Wisner, Jesse Woodhull, Zephaniah Platt, Jonathan Landon, and Arthur Parkes, were elected senators.

The president, by direction of the committee, addressed a letter to Governor Clinton, of which the following is a copy: "Sir, I am directed, by the Council, to present you their congratulations, upon your being elected, by the free suffrage of the freeholders of the State, to the office of Governor and also of Lieutenant Governor; at the same time, I am to desire, that you will make such arrangements of your affairs, as to come with all convenient speed to this place, to take the oath of the office which you shall think proper to accept, according to the ordinance of the late convention, and likewise to signify your resignation of one of them, to the end that a new election may be held."

On the 10th day of July, 1777, eighty prisoners arrived from Albany in two sloops to be confined on board the fleet prison at Kingston, and the warden requested an increase of the guard. The committee at once ordered that Major Van Zandt and Mr. Cantine, with the sheriff of Ulster, immediately proceed to the strand and give the necessary directions with respect to guard and disposition of the prisoners.

On Tuesday, the 15th, the committee ordered Lieutenant-Colonel Elmendorf, by draft out of his regiment of militia, to furnish a captain and twenty men, and Lieutenant-Colonel Hoornbeek, out of his regiment of militia, a lieutenant and fifteen men, to guard the prisoners in Kingston Jail and fleet prison, by Thursday next, the 17th, at four o'clock. And that Captains Elmendorf and Bogardus, of Colonel Snyder's regiment, by four o'clock that afternoon, furnish a guard and twenty-four men to relieve the guards at the Court House and fleet prisons, to be continued until relieved by other guards from the militia.

On the 16th of July Captain Schoonmaker was appointed to raise a company of men similar to the company he lately raised, and commanded to be under the orders of the Committee of Safety.

On the 16th of July the Committee of Safety ordered that the Legislature of the State meet at Kingston, on the 1st day of August.

On the 17th of July, 1777, owing to the hostile attitude exhibited by the Indians, it was ordered that two companies of Rangers be raised, to serve in the counties of Tryon, Ulster, and Albany, for

the protection of the frontier inhabitants. The officers were designated as follows: Of the first company, John Harper, Captain; Alexander Harper, First Lieutenant. Of the second company, James Clyde, Captain; John Campbell, First Lieutenant.

On the 11th day of July General Clinton sent a communication to the Committee of Safety accepting the office of governor and resigning that of lieutenant-governor; also stating that as soon as consistent with his duty, and the safety of the State at his post (Fort Montgomery) would admit, he would repair to Kingston and take the oath of office.

On the 30th day of July, 1777, Governor Clinton appeared in the Committee of Safety and took both the oath of allegiance and the oath of office. The oaths were administered by the president in committee.

The committee then at once issued a proclamation for declaring and proclaiming the governor of the State, as follows:

“Whereas his Excellency George Clinton has been elected Governor of this State of New York, and hath this day qualified himself for the execution of his office, by taking in this Council the oaths required by the Constitution of this State, to enable him to exercise his said office; This Council doth, therefore hereby, in the name and by the authority of the good People of this State, proclaim and declare the said George Clinton Esq Governor General and Commander in Chief of all the Militia, and Admiral of the Navy of this State, to whom the good People of this State are to pay all due obedience according to the laws and Constitution thereof—

“By order of the Council of Safety

“PIERRE VAN CORTLANDT *President*.

“God save the People

“Ordered that John Holt immediately print 500 copies and that the proclamation be made and published, by the Sheriff of Ulster County, at or near the Court house in Kingston at six O'clock this afternoon.

“Resolved and Ordered That Captain Evert Bogardus and Captain John Elmendorf do cause the companies of Militia, under their respective commands, to appear at the Court house in Kingston at six O'clock this afternoon properly armed and accoutered, at which time and place his Excellency George Clinton will be proclaimed Governor of this State.”

At the time and place aforesaid, accompanied with all proper solemnity, the firing of a *feu de joie* by the military, and the ringing of bells, the proclamation was read announcing the assumption of power by the first governor of the State of New York.

There was not, probably, a more zealous and earnest advocate

for the rights of the people and the freedom of America than the Rev. George J. L. Doll, the pastor of the Reformed Dutch Church in Kingston at that time. He did much to sustain and encourage the patriotic sentiment and ardor so strongly exhibited by the citizens of Kingston during the protracted struggle for independence. The wives and mothers in his flock received from him religious consolation and encouragement during the absence of their loved ones in defence of their country, and he taught them not to stay the hand which was ready to strike for liberty.

The following letter sent by him, in behalf of the Consistory, to Governor Clinton, upon the occasion of his inauguration, breathes the true spirit of patriotism :

“To His Excellency, George Clinton Esq Governor General and Commander in Chief of all the Militia, and Admiral of the Navy of the State of New York ;

“May it please your Excellency

“At the commencement of the new Constitution, and at the very hour of your Inauguration, the Minister Elders and Deacons of the Reformed Dutch Church of Kingston, in Consistory assembled, beg leave to congratulate your Excellency upon the highest honours the subjects of a free State can possess, and to assure you of the part they bear in the public happiness of this occasion.

“From the beginning of the present war, the Consistory and People of Kingston have been uniformly attached to the cause of America, and justify, upon the soundest principles of religion and morality, the glorious revolution of a free and oppressed country. Convinced of the unrighteous design of Great Britain, upon their civil and religious privileges, they chose without hesitation, rather to suffer with a brave people for a season, than to enjoy the luxuries and friendship of a wicked and cruel nation.

“With an inexpressible perseverance, which they trust the greatest adversity and persecution will never change, they profess anew, to your Excellency, their interest in the Continental Union and loyalty to the State of New York.

“While the Constitution is preserved inviolate, and the rulers steer by that conspicuous beacon; the people have the fairest prospect of happiness, unanimity and success. With you, they choose to launch, that future pilots may form a precedent from your vigilance, impartiality, and firmness, and the system obtain an establishment, that shall last for ages. For as nothing can be more agreeable to the conscious Patriot, than the approbation of his country, so nothing can more promote the general good, than placing confidence in established characters, and raising merit to distinguished power.

“Take, then, with the acclamations and fullest confidence of

the public—take, sir, the government in your own hands, and let the unsolicited voice, of a whole State, prevail upon you to enter upon the arduous task.

“All ranks in placing you at their head, have pledged their lives and fortunes to support and defend you in this exalted station, and the Consistory of Kingston cheerfully unite in the implicit stipulation, and promise you their prayers.

“As a reformation in morals, and the prevalence of virtue is the immediate object of the Consistory of Kingston, they esteem themselves especially happy, in having cause to believe that religious liberty (without which all other privileges are not worth enjoying) will be strenuously supported by your Excellency, and they congratulate themselves and the State, that God has given them a Governor, who understands, and therefore loves the Christian religion, and who, in his Administration, will prove a terror to evil doers, and an example and patron to them that do well

“Signed by order of the Committee

“GEORGE J L DOLL *Præsis*

“August 2, 1777”

The first court held under the first Constitution of the State of New York was opened by Chief-Justice Jay, in the Court House in the village of Kingston, on the 9th day of September, 1777. The Grand Jury was composed of twenty-two of the most respectable men in the county of Ulster.

After they had been sworn Chief-Justice Jay delivered the following charge :

“GENTLEMEN It affords me very sensible pleasure to congratulate you on the dawn of that free mild and equal Government, which now begins to rise and break from amidst those clouds of anarchy, confusion and licentiousness, which the arbitrary and violent domination of the King of Great Britain had spread, in greater or less degree, throughout this and the other American States. And it gives me particular satisfaction to remark, that the first fruits of our excellent constitution appear in a part of this State, whose inhabitants have distinguished themselves, by having unanimously endeavored to deserve them.

“This is one of those signal instances, in which Divine Providence has made the Tyranny of Princes instrumental in breaking the chains of their subjects ; and rendered the most inhuman designs, productive of the best consequences, to those against whom they were intended.

“The infatuated Sovereign of Britain forgetful that Kings were the servants, not the proprietors, and ought to be the fathers, not the incendiaries of their people, hath, by destroying our former

constitutions, enabled us to erect more eligible systems of government on their ruins ; and by unwarrantable attempts to *bind us in all cases whatever*, has reduced us to the happy necessity of being *free from his control in any*.

“Whoever compares our present with our former Constitution, will find abundant reason to rejoice in the exchange, and readily admit, that all the calamities, incident to this war, will be amply compensated by the many blessings flowing from this glorious revolution. A revolution which, in the whole course of its rise and progress, is distinguished by so many marks of the Divine favor and interposition, that no doubt can remain of its being finally accomplished.

“It was begun and has been supported, in a manner so singular, and I may say, miraculous, that when future ages shall read its history, they will be tempted to consider great part of it as fabulous. What, among other things, can appear more unworthy of credit, than in an enlightened age, in a civilized and Christian country, in a nation so celebrated for humanity, as well as love of liberty and justice, as the *English* once justly were, a prince should arise, who, by the influence of corruption alone, should be able to seduce them into a combination, to reduce three millions of his most loyal and affectionate subjects, to absolute slavery under pretence of a right, appertaining to God alone, of binding them in all cases whatever, not even excepting cases of conscience and religion ? What can appear more improbable, although true, than that this prince, and this people, should obstinately steel their hearts, and shut their ears, against the most humble petitions and affectionate remonstrances, and unjustly determine by violence and force, to execute designs, which were reprobated by every principle of humanity, equity, gratitude and policy—designs which would have been execrable, if intended against savages and enemies, and yet formed against men descended from the same common ancestors with themselves ; men who had liberally contributed to their support, and cheerfully fought their battles, even in remote and baleful climates ? Will it not appear extraordinary, that thirteen Colonies, the object of their wicked designs, divided by variety of governments and manners, should immediately become one people, and though without funds, without magazines, without disciplined troops, in the face of their enemies, unanimously determine to be free ; and undaunted by the power of Britain, refer their cause to the justice of the Almighty, and resolve to repel force by force ? Thereby presenting to the world an illustrious example of magnanimity and virtue scarcely to be paralleled ? Will it not be matter of doubt and wonder, that notwithstanding these difficulties, they should raise armies, establish funds, carry on commerce, grow rich

by the spoils of their enemies, and bid defiance to the armies of Britain, the mercenaries of Germany and the savages of the wilderness?—But however incredible these things may in future appear, we know them to be true, and we should always remember, that the many remarkable and unexpected means and events, by which our wants have been supplied, and our enemies repelled or restrained, are such strong and striking proofs of the interposition of Heaven, that our having been hitherto delivered from the threatened bondage of Britain, ought, like the emancipation of the Jews from Egyptian servitude, to be forever ascribed to its *true cause*, and instead of swelling our breasts with arrogant ideas of our prowess and importance, kindle in them a flame of gratitude and piety, which may consume all remains of vice and irreligion.

“Blessed be God! the time will never arrive when the prince of a country in another quarter of the globe, will command your obedience and hold you in vassalage. His consent has ceased to be necessary to enable you to enact laws essential to your welfare, nor will you, in future, be subject to the imperious sway of rulers, instructed to sacrifice your happiness whenever it might be inconsistent with the ambitious views of their royal master

“The Americans are the first People whom Heaven has favored with an opportunity of deliberating upon and choosing the forms of government under which they should live; all other constitutions have derived their existence from violence or accidental circumstances, and are therefore probably more distant from their perfection, which, though beyond our reach, may nevertheless be approached under the guidance of reason and experience.

“How far the People of this State have improved this opportunity we are at no loss to determine. Their Constitution has given general satisfaction at home, and been not only approved, but applauded abroad. It would be a pleasing task to take a minute view of it, to investigate its principles, and remark the connection and use of its several parts—but that would be a work of too great length to be proper on this occasion. I must therefore confine myself to general observations; and among those which naturally arise from a consideration of this subject, none are more obvious, than that the highest respect has been paid to those great and equal rights of human nature, which should ever remain inviolate in every society—and that such care has been taken in the disposition of the legislative, executive and judicial powers of government, as to promise permanence to the Constitution, and give energy and impartiality to the distribution of justice. So that while you possess wisdom to discern and virtue to appoint men of worth and abilities to fill the offices of the State, you will be happy at home and respected abroad.—Your life, your liberties, your

property, will be at the disposal only of your Creator and yourselves. You will know no power but such as you will create ; no authority unless derived from your grant, no laws, but such as acquire all their obligation from your consent.

“ Adequate security is also given to the rights of conscience and private judgment. They are, by nature, subject to no control but that of the Deity, and in that free situation they are now left. Every man is permitted to consider, to adore and to worship his Creator in the manner most agreeable to his conscience. No opinions are dictated ; no rules of faith prescribed ; no preference given to one sect to the prejudice of others.—The Constitution, however, has wisely declared, that the ‘ liberty of conscience thereby granted, shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this State.’ In a word the convention, by whom that Constitution was formed, were of opinion, that the gospel of CHRIST like the ark of God, would not fall, though unsupported by the arm of flesh, and happy would it be for mankind, if that opinion prevailed more generally.

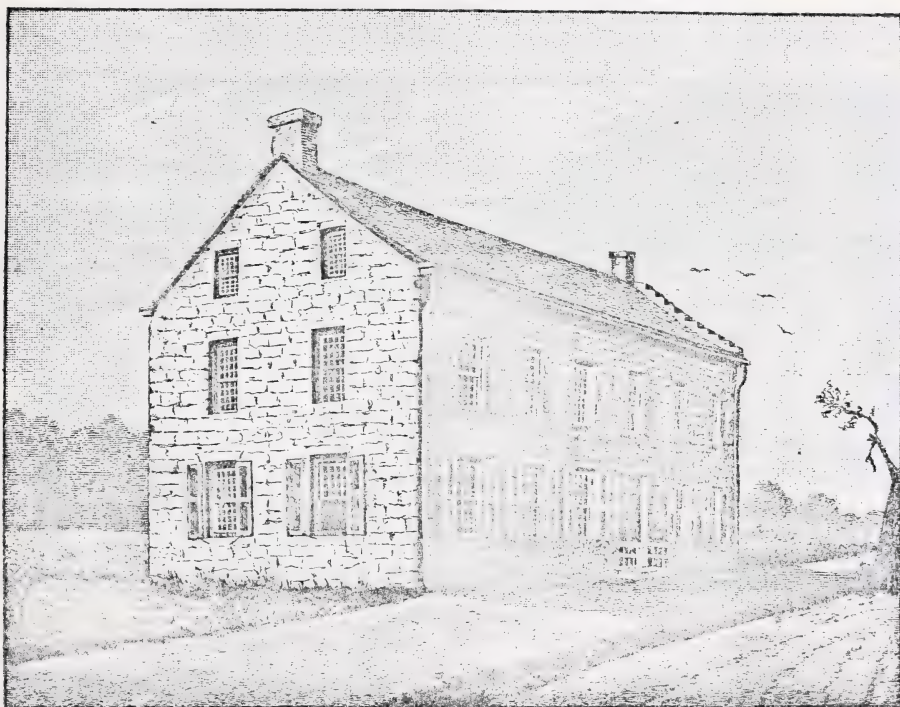
“ But let it be remembered, that whatever marks of wisdom, experience and patriotism there may be in your Constitution, yet, like the beautiful symmetry, the just proportions, and elegant forms of our first parents, before their maker breathed into them the breath of life, it is yet to be animated, and till then may indeed, excite admiration, but will be of no use. From the People it must receive its spirit, and by them be quickened. Let virtue, honor, the love of liberty and of science be, and remain, the soul of this Constitution, and it will become the source of great and extensive happiness to this and future generations. Vice, ignorance and want of vigilance will be the only enemies able to destroy it. Against these provide, and, of these, be forever jealous. Every member of the State, ought diligently to read and study the Constitution of his country, and teach the rising generation to be free. By knowing their rights, they will sooner perceive when they are violated and be better prepared to defend and assert them.

“ This, gentlemen, is the first court held under the authority of our Constitution, and I hope its proceedings will be such, as to merit the approbation of the friends, and avoid giving cause of censure to the enemies of the present establishment.

“ It is proper to observe, that no person in this State, however exalted or low his rank, however dignified or humble his station, but has a right to the protection of, and is amenable to the laws of the land, and that if those laws be wisely made and duly executed, innocence will be defended, oppression punished, and vice restrained. Hence it becomes the common duty, and indeed the

common interest, of every subject of the State, and particularly of those concerned in the distribution of Justice, to unite in repressing the licentious, in supporting the laws, and thereby diffusing the blessings of peace, security, order and good government through all degrees and ranks of men among us.

“I presume it will be unnecessary to remind you that neither fear, favor, resentment, or other personal and partial considerations should influence your conduct. Calm deliberate reason, candor, moderation, a dispassionate, and yet a determined resolution to do your duty, will, I am persuaded, be the principles by which you will be directed.



TAPPEN HOUSE, EXECUTIVE CHAMBER.

“You will be pleased to observe, that all offences committed in this county against the peace of the People of this State, from treason to trespass, are proper objects of your attention and enquiry.

“You will give particular attention to the practice of counterfeiting the bills of credit, emitted by the general CONGRESS or other of the AMERICAN STATES, and of knowingly passing such counterfeits. Practices no less criminal in themselves, than injurious to the interests of that great cause, on the success of which the happiness of AMERICA so essentially depends.”

On the 1st of August, the time fixed for the meeting of the Leg-

islature at Kingston, the condition of the country was such that the governor deemed it advisable to prorogue it until the 20th, and again until the 1st of September.

Governor Clinton when in Kingston made the house, in North Front Street, of his brother-in-law, Christopher Tappen, his headquarters, and there performed his ordinary executive duties. When, however, he met the Legislature in joint convention it was at the Court House.

Colonel Levi Pawling, of Ulster County, was one of the senators elected from the middle district, and was the only representative of Ulster County in the Senate.

The Senate met and organized at the house of Abraham Van



SENATE HOUSE.

Gaasbeek. This house was located on the west side of East Front Street, now Clinton Avenue, near the corner of North Front Street. It was a long, low, one-story stone building with a steep roof. The main hall was near the north end, with a room on each side. At the south end was a room with a direct opening or doorway into the street. There is nothing in the legislative minutes showing in what room the Senate met, but from the fact that the south room was the largest, and also had a direct communication with the street, it is presumed that that was the actual Senate Chamber in which the first Senate of the State of New York met and was organized.

John Cantine, Johannis G. Hardenbergh, Matthew Rea, Cornelius C. Schoonmaker, Colonel Johannis Snyder, and Henry Wisner, Jr., were the representatives from Ulster County in the Assembly.



HOUSE WHERE FIRST ASSEMBLY MET.

The Assembly met and organized at the public house of Evert Bogardus, situate at the northwest corner of Maiden Lane and Fair Street. They were unable to meet at the Court House as the Supreme Court was then in session there.

By reason of the want of a quorum in the Senate the Legislature did not become fully organized until the 10th of September.

With the organization of the Legislature the State government became operative and complete in all its three departments—the executive, the legislative, and the judicial—within the bounds of the then village of Kingston, and the wheels of government were there put in full perpetual motion.

The legislative session was brief, and was cut short by the invader's approach. The burning of the village in October put an end to any hope that might have been entertained of making Kingston the permanent seat of the State government. The Legislature after that partook for a time of a migratory character. When not specially convened by call they met at such place as had been fixed by resolution of adjournment at the last previous meeting. When no place was fixed, then at the place of their last meeting.

By special resolutions from time to time prior to their final location at Albany upon the completion of the Capitol, they met at Kingston in August, 1779, in April, 1780, and in March, 1783.

CHAPTER XVII.

CAMPAIGN OF 1777, INCLUDING BURNING OF KINGSTON.

IN the last chapter was chronicled the complete inauguration of the State government and the starting of its wheels in full operation, but still surrounded with perils and dangers on every side, threatened by enemies from without, requiring its entire strength for defence, at the same time that the homes of its loyal citizens and the lives of their families were threatened by bitter and deadly foes from within. It becomes necessary to go back again in our detail to the fall and winter of 1776-77 to note the movements of troops and preparations for continuing the deadly conflict.

On the part of the British, General Howe, the commander-in-chief, chagrined at the failure of the campaign designed to crush New York in 1776, and finding that General Burgoyne, commanding the Northern army, had retired to winter quarters without accomplishing anything, figured out extensive and crushing operations for the year 1777, designed, as he wrote in his official communication to Lord George Germaine, under date of November 30th, 1776, "if possible to finish the war in one year by an extensive and vigorous exertion of his Majesty's arms." He should have added, *with those of Russia and Germany*.

His plan is thus set forth in his letter :

"1st. An offensive army of 10,000 rank and file to act on the side of Rhode Island, by taking possession of Providence, penetrating from thence into the country towards Boston, and if possible to reduce that town ; two thousand men to be left for the defence of Rhode Island, and for making small incursions, under the protection of the shipping, upon the coast of Connecticut. This army to be commanded by Lieut Gen Clinton.

"2. An offensive army, in the province of New York, to move up the North river to Albany, to consist of not less than 10,000 men, and 5,000 for the defence of New York and adjacent posts.

"By the last information from the northward, I learn the army from Canada was obliged, by the severity of the weather, to repossess the lake, from Crown Point on the 5th instant, from which event, and a consideration of the difficulties that army must meet with before it reaches Albany, in the course of the next campaign, it is

reasonable to conclude this will not be effected earlier than September.

"3rd. A defensive army of 8000 men to cover Jersey, and to keep the Southern army in check, by giving a jealousy to Philadelphia, which I would propose to attack in Autumn, as well as Virginia, provided the success of other operations will admit of an adequate force to be sent against that province

"South Carolina and Georgia must be the objects for winter. But to complete this plan, not less than ten ships of the line will be absolutely requisite, and a reinforcement of troops to the amount of 15,000 rank and file, *which I should hope may be had from Russia, or from Hanover and other German States*, particularly some Hanoverian chasseurs, who I am well informed are exceeding good troops.

"By this calculation the army, in the Southern district, would consist of 35,000 effective men, to oppose 50,000 that the American Congress has voted for the service of next campaign. . . . Were the force I have mentioned sent out, it would strike such terror through the country, *that little resistance* would be made to the progress of his majesty's arms in the provinces of New England, New York, the Jerseys and Pennsylvania after the junction of the Northern and Southern armies."

Such was the plan set forth by General Howe for the consideration of the ministry. In addition to this magnificent programme from below, preparations were being made for a crushing blow against New York from Canada at the North. General Carleton was superseded by General Burgoyne in the supreme command of the Northern army, and he made his preparations upon a grand and magnificent scale. His programme was to enter the State with his army in two divisions. The left wing, comprising the main branch, to be commanded by himself in person, was to enter through Lake Champlain. The right wing was to be under the command of Colonel St. Leger, and was to enter the State by crossing Lake Ontario near its entrance into the St. Lawrence, and there to form a junction with their Indian and Tory allies.

As it was not expected that General Burgoyne could reach the upper Hudson until September, General Howe left a part of his forces in New York and some in Rhode Island under the command of Sir Henry Clinton, and then took the main body with him by sea to operate elsewhere.

Such delay on the part of the British to attempt the passage up the river with their fleet enabled the Americans to perfect their plans for the obstruction of the river in the narrow passes of the Highlands. They having no naval force worthy of the name, the only way to check the passage of the British fleet up the river was

by obstructions in the channel, with forts located to command the passage. To accomplish this object the Americans stretched a chain across the river at West Point and erected Forts Montgomery, Clinton, and Constitution in the vicinity.

As long as those forts were in the possession of the Americans, and well manned, and the chain of sufficient strength to resist the force of vessels under full headway, the obstruction was complete, for the enemy could use no other means to remove the chain under the fire of the forts. There was also a *chevaux-de-frise* at Polopin Island, but without forts for protection.

It was vitally important, therefore, that the forts should be sufficiently manned at all times. But many circumstances combined to render that almost impossible. New York was hemmed in on the north by the invading forces from Canada, which gave employment for all, and more than all, the strength of Northern New York. On the south was the British army, with a naval force ready to transport it in any direction, or to any unexpected quarter, which gave employment to all the forces which could be gathered below the Highlands from all directions. So that Ulster, Orange, Duchess, and a part of Westchester, were substantially all that were left to furnish troops. Add to this that sufficient men had to be left in the border counties of Ulster and Orange to protect their outer settlements from Indian raids and incursions and to keep the Tories in check, and further consider the great hesitancy evinced on the part of adjoining States to aid New York with needed reinforcements, and it can create no surprise that those forts were seldom, if ever, sufficiently garrisoned.

The following correspondence is of interest to show the great insufficiency of the forces under General George Clinton to defend the forts and protect the river :

“HEAD QUARTERS

“MORRISTOWN 19th Feby 1777

“SIR Information being lodged, that many of the inhabitants, living near the Passaick Falls, are busily employed in removing their provisions and forage within the enemy's reach, with a design of supplying them, obliges me to beg the favor of you to let me know what success you have experienced in collecting the troops voted, by the Convention of the State of New York. The presence of some men in that neighborhood would be attended with much good ; add to this the well grounded probability, that the enemy, being lately reinforced, will make some movement soon, and you will I am satisfied use your utmost exertions to bring a reinforcement to our assistance. At present I cannot check the above mentioned practice, least the detachment, sent that way, may be more wanted for other purposes than this. I therefore

hope that some of your troops will take that duty off my hands, and that you will further enable me effectually to oppose any designs of the enemy.

"I am Sir Your Most obedt Servt

"GEO WASHINGTON

"*Gen Geo Clinton New Windsor--*"

It may be noted here that the above urgent call was rendered necessary by some Americans having more regard for the dollar than for their country.

"NEW WINDSOR 23 Feby 1777

"DEAR SIR

"On my arrival home last night, I received a letter from his Excellency General Washington, of which the enclosed is a copy. By this you will find that more is expected of me than is in my power. Even tho' the 500 men ordered to be raised in Dutchess and Westchester were completed, unless they were to join me on this side the river, I should be able to afford but a very inconsiderable reinforcement to the main army (if any at all) after posting sufficient detachments at the pass, for effecting the business more particularly recommended in his Excellency's letter. Col Pawling's regiment consists now of only 361 including officers, and they occupy three different posts, to wit Sydman's bridge, Cloyster and Hackensack, all equally, if not more necessary, than that mentioned by the General, and I don't imagine he means they should be abandoned. I fear that sending a detachment out of this small force, (already much divided) to Pasaic falls will be endangering the other posts; at any rate it will render the duty on the men exceedingly hard. I will however order a Lieutenant's party there, for the present, in hopes that some way may be devised to supply this place. Useless as the rangers have been, would it not be best to annex Belknap's and De Witt's companies to Col Pawling's regiment on this occasion. I have issued orders to the Militia Colonels, to complete their complement of men, which they were to have raised, some of whom have been much more deficient in this respect than I could have thought.

"This, and the number that have enlisted, out of Col Pawling's regiment, in the standing army, and some desertions, of Tory drafts, to the enemy, are the reasons why it falls so much short of its complement.

* * * * *

"I am with due respect your most Obedt Servt

"GEO CLINTON

"*To the Hon The Prest of the Convention of the State of N. Y.*"

On the 26th day of February, 1777, the Council of Safety appointed Messrs. Taylor and Cuyler a committee to confer with Generals George and James Clinton and General McDougall, and inform themselves in regard to the forces requisite for defending the forts and passes in the Highlands, and afterward wait upon the commander-in-chief, General Washington, "with the intelligence they had acquired."

On the 12th of March, 1777, they made their report to the convention, which was then in session.

By the report it appeared that the obstruction to the navigation was in a state of great forwardness; that it would require one thousand men at least to defend Fort Montgomery; that Fort Constitution, from its disadvantageous situation, might be easily taken if besieged with artillery.

On the 18th of March the convention adopted and forwarded letters to Congress, with others from General Washington and General McDougall, urging the strengthening, arming, and manning the fortresses in the Highlands, and the appointment of General George Clinton to their command.

On the 25th day of March, 1777, resolutions were passed by the State Convention authorizing General George Clinton to call out the whole or any part of the militia of the counties of Ulster, Dutchess, Orange, and Westchester, whenever he should deem the same necessary, either on the requisition of His Excellency General Washington, or at his own discretion, and station them in such manner as might be most proper for securing the forts and passes in the Highlands, and frustrating the attempts of the enemy to make incursions into this State. The resolutions also directed that whatever sums General George Clinton should certify to be due to any body of the militia so called into service, should "be forthwith paid out of the Treasury of the State."

He was further authorized to impress carriages, horses, teams, boats, and vessels, and take care that the wages or hire for the same be punctually paid; and whenever satisfaction could not otherwise be speedily obtained, he was authorized to draw on the convention.

This extraordinary power vested by the convention in a single man exhibits in a high degree the confidence placed by the sages of that body in the judgment, honor, and integrity of General Clinton, and it is a pleasure to know that their confidence was neither misplaced nor abused.

On the same day, the 25th day of March, the Continental Congress passed a resolution that a commandant of the forts in the Highlands be appointed with the rank of brigadier-general, and

immediately appointed General George Clinton to such command, and promoted him to the rank of brigadier-general.

His commission was immediately forwarded to the New York Convention, and received on the 1st day of April. His former commission was under State authority ; this was from the general government.

General Clinton issued orders on the 31st day of March, 1777, requiring that one third part of the militia of the counties of Ulster and Orange be forthwith called into actual service, and that for that purpose "the Colonels of the respective regiments by ballot, or any other equitable manner, immediately detach the third part of their Regiment under proper officers of each company, to consist of sixty two privates, as near as may be. That the men, thus raised, be divided into three regiments commanded by

Col Pawling,	Lt Col McClaughry	Major Logan
" Snyder	" Hardenbergh Jr	" Hooghteling
" Heathorn	" Cuyper	" Muffelt

That the Companies of Horse turn out *their* Quota, and that the exempts be included in the third part of the militia to be raised."

On the 27th of April, 1777, a further order dated at Fort Montgomery was issued, as follows : "It is essential to the safety of this post, that Colonel Pawling's and Col Snyder's regiments be immediately completed to their full complement of men ; which being the case will supersede the necessity of calling out any further part of the Militia in this busy season of the year. It is therefore ordered in the most express and positive terms, that the Colonels or Commanding officers of the Militia Regiments do forthwith furnish their respective quotas of Men, as fixed by the order for raising and marching the above two regiments to this post, and that they also return Muster rolls of their said Regiments to the General.

* * * * *

"As many of the men belonging to said Regiments, now at this post, being principally persons hired by others who were drafted, are without arms and otherwise unprovided ; it is ordered that the persons who were so drafted do immediately provide and deliver arms and accoutrements to those whom they have so hired, or in failure thereof they be immediately brought to this Post to perform their own duty

"ALBERT PAWLING *Major of Brigade*"

Such were some of the movements and orders made to put the country in as good a situation for defence as possible. But it was also necessary that some means of communication should be established between the Northern and the Southern armies in the State.

The country being new, and sparsely settled, communication between distant points was slow, and none regularly established. Some special arrangement to that end was therefore necessary. With this object in view, on the 5th day of August, 1777, Captain Salisbury, of the Kingston Light Horse, was ordered to furnish a detachment consisting of a non-commissioned officer and six privates to be stationed at Kingston and at other points between that and the Northern army to serve as expresses; and an equal number at New Burgh of Captain Woodhull's company, between that and Fort Montgomery, and thence to headquarters.

In preparation for an attack from below, Captains Pawling's, Snyder's, Graham's, Freer's, Humphrey's, and Sutherland's regiments were ordered to hold themselves in perfect readiness to march on a moment's warning, and if the enemy should approach the western frontier, Colonel Pawling was directed to send detachments from his and Colonel Snyder's regiment to protect the inhabitants, besides the frontier companies of Allison's and McClaughry's regiments, which were left at home for the same purpose.

On the near approach of fall it became necessary to prepare for the worst, for the enemy, if they designed striking a severe blow at all, must do it soon. The Council of Safety, therefore, turned their attention to the National Congress, and on the 7th of August, 1777, addressed a letter to the delegates of this State in that body in reference to their unsatisfactory condition, stating, among other things, that, "as the defence of this State is intimately connected with the safety of America, the convention have not only exerted their utmost strength, but cheerfully agreed to sacrifice local attachments, and a great share of their property, to the attainment of these desirable ends. . . . That by far the greater part of the levies ordered, by the Congress, to be raised from our Militia, are completed and at their several stations. . . . The whole number of drafts from the Militia of this State, exclusive of the Continental Battalions raised therein, will amount to about nine thousand men. The stations, the last levies will occupy, being on our frontiers, in the Highlands and on Long Island, prevent their adding to the strength of the army at New York, much as it needs their assistance.

"It gives us great pain to inform you, that the aid received from our sister States is very inadequate to our expectation, none of them having yet completed the levies directed by Congress; which leaves us reason to fear, that instead of using every means that human wisdom dictates for insuring success, we shall (with inferior numbers) on the doubtful issue of a single battle, hazard the glorious cause for which we have hitherto struggled."

Among other matters the letter suggested that the forces em-

ployed on the frontiers were of general utility, and the immediate demand for them required the payment of considerable bounties, and therefore they should be taken into the pay of the general government. "But," the letter proceeded to state, "should the Congress think otherwise, we propose to retain them at our own expense, since we are determined to neglect no measures, (however burdensome) if within our reach, which we conceive necessary for the safety of America."

The object has been to give a sufficient part of this letter to show to what extent New York was in fact left to rest upon her own resources, and the patriotic spirit which animated her representatives.

On Tuesday, the 12th of August, 1777, the Council of Safety received information of a reported design on the part of some Indians and Tories to make a descent upon Kingston on the following Friday night, to burn and destroy it. They placed but little confidence in the report, but advised Colonel Pawling thereof, and requested him to take such precautionary measures as would render the scheme abortive.

The time passed without any appearance on the part of the Indians.

Their attention was then called in another direction for the relief of loyal citizens in an adjoining county. Information was received that one Captain Man had organized a band composed of Tories and Indians in Schoharie to operate against the loyal citizens, and that Colonel Vrooman and a party of Whigs were besieged there by a band of Tories. Colonel Pawling was on the 12th of August ordered out with a detachment of two hundred men from his regiment, to proceed to Schoharie for the destruction of Man and his party, and the relief of the Whigs and loyal citizens.

General Burgoyne in the latter part of June had his (the left) wing of the invading army gathered at Crown Point, composed of nearly eight thousand men, and on the 2d of July he succeeded in capturing Fort Ticonderoga. Thus far he drove everything before him, and apparently had a kind of triumphal march through the country. But General Schuyler not having an army sufficient to oppose his progress, resorted to tactics of obstructing the roads and tearing down bridges to such an extent that General Burgoyne occupied twenty-four days in marching twenty-six miles, thus giving time for the Americans to gather re-enforcements.

Ulster County was then called upon to send troops to the north to strengthen the Northern army in that great emergency.

But General Clinton, on the 13th of August, wrote to the Council of Safety that, though he most anxiously wished it was in his power to re-enforce the Northern army, and give succor to the

brave and much-distressed inhabitants of Tryon County, yet he could not be induced to think it would be prudent to draw the militia from so far down as this to the northward until the design of the enemy's Southern army could be more fully ascertained.

General Schuyler by letter of the same date to the President of the Council of Safety, set forth the plight in which he was then placed. He stated that he had on the previous night received a letter dated the 9th from Governor Trumbull, of Connecticut, from which he was given to understand that he must not expect any aid from that State. The general further stated that by letters received on the 11th, he had been advised as to Massachusetts that orders had been issued for the march of one sixth part of six regiments in the county of Worcester, and one in the county of Middlesex; that when they arrived, if they ever did, it would increase the number of his army about six or seven hundred; that his whole Continental force of effectives did not exceed three thousand four hundred rank and file; that he had about forty militia from this State, but none from any other.

About the same time the Council of Safety communicated to the delegates from this State in Congress the information they had acquired in regard to the respective forces on both sides; that they had no positive information, but as near as they could gather, from examination of prisoners and other sources, the whole number of regular troops in the Northern army with Burgoyne was about six thousand, besides a large number of Tories and Indians, who had joined him since the evacuation of Ticonderoga; that about eight hundred Regulars, together with four hundred Canadians, Tories, and Indians, were besieging Fort Schuyler.

In reference to our own Northern army it was stated that it did not exceed four thousand men.

The communication further stated that about two thousand of our militia went up when the army retreated to Fort Edward, and about twelve hundred came in from the Eastern States and the Grants. As it was the height of harvest, and the militia were very uneasy at their stay, the general thought it advisable to dismiss part of them, on condition that the remainder would continue three weeks, by which time they expected to be relieved by Continental troops or militia. One thousand of the militia had remained until that time. Most of them, who had then come away, had found it necessary, on account of the retreat of the army, to remove their families. The governor had ordered the whole militia of Albany to supply their places, but fear was expressed that his order would not be obeyed, as the disaffected had gained ascendancy in many places, and not only refused to go themselves, but compelled the Whigs to side with them. He had, however, sent

up from Ulster and Duchess counties five hundred men, to remain until the 1st of November; he had also ordered two hundred men to Schoharie, where the Whigs were besieged by Tories and Indians. He had seven hundred militia out in Tryon County, and about two thousand men in passes of the Highlands, seven hundred of these being drafted to continue until the 1st of November, and the rest were the whole militia of the counties of Orange and the lower part of Duchess and Ulster.

The letter proceeded: "You gentlemen who know our weakness, the great drains we have had, the troops we are obliged to keep on posts to guard the disaffected prisoners in every quarter, the number that are pressed into service as wagoners, bateamen, etc and that this whole force is drawn from four counties out of fourteen, that we once possessed, will think it much beyond our strength, but we are resolved if we *do* fall to fall as becomes brave men."

Albany was not included in the above computation for reasons already stated, although it was probable a small force might be drawn from there.

These were dark and desponding days for the Whigs of New York, apparently left almost entirely to their own insufficient resources. But soon rays of light darted forth in the Northern horizon; the nobly-fought battle of Oriskany, under General Herkimer, on the 6th, with the Canadians and Indians, followed on the 16th by the triumphant victory of General Stark with his brigade from the Granite State and the militia and rangers raised in Vermont, over not only the British detachment sent for the possession of Bennington, but also the large re-enforcement sent by Burgoyne to their support, and further supplemented on the 21st by the precipitate retreat of General St. Leger and the entire breaking up of the right wing of the Northern invading army, at once raised the hopes of the desponding, and gave new and increased vigor and strength to the firm and determined Sons of Liberty.

Soon after the news of these glorious triumphs was spread throughout the country enlistments made rapid progress, re-enforcements to the Northern army came pouring in, and General Burgoyne soon found himself within the meshes of a net which he could not break, and was forced to surrender.

As has been previously stated, the design of the British in the conduct of the war was by overpowering armies and a strong naval force from New York, to form a junction with Burgoyne at Albany.

The Americans relied upon their fortifications and obstructions

in the Highlands, with the troops garrisoning the forts, to prevent it.

Notwithstanding their great importance, not only for the safety of this State, but for the whole country, so great was the pressure upon New York in every direction, and so dilatory were her sister States in coming to her aid, that the Highland forts and passes were never at any time sufficiently manned. The garrisoning of those forts and protection of those passes on the west side of the river were not only left substantially to be cared for by the Ulster and Orange County troops, but the necessities at the north had drawn away a large number of men from the northern part of Ulster to aid in the defeat or capture of Burgoyne. It was thus that while the State was necessarily strengthening itself in the north, it was dangerously weakening itself in the south. The forts referred to above were built mainly for the river front, but were of very light construction on the rear or landward side.

Sir Henry Clinton, who was then in command of the land forces at New York, became aware of those facts through information gleaned from the Tories, and determined at once to capture the forts by an overwhelming force. Accordingly on the 3d day of October he proceeded to the attack with between four and five thousand troops, and a large naval force and transports. A few of his forces were landed on the east side of the river for a cover. Some of the ships also were sent up the river, one to take a station so as to prevent any re-enforcements being despatched by General Putnam from the east to the west side of the river by Peekshill Ferry ; the others to engage Fort Montgomery in front, so as to divert the attention of the garrison from the rear. The main body, three thousand and upward strong, landed south of Stony Point, on the west side of the river, and were from thence piloted by a Tory, whose name the writer has not been able to ascertain, a circuit of about twelve miles through the wilderness to reach the fortifications in the rear.

The British troops reached the advanced party of the Americans stationed at Doodletown, about two and one half miles from the fort, at about ten o'clock in the forenoon. The Americans received the enemy's fire, returned it, and retreated to Fort Clinton. They soon received intelligence at Fort Montgomery that the enemy was advancing on the west side of the mountain to attack the garrison in the rear. Governor Clinton then ordered Lieutenant-Colonels Bruyn and McClaghry, with upward of one hundred men, toward Doodletown, and a brass field-piece, with sixty men, to be used at every advantageous post on the road to the furnace. They were all soon attacked by the enemy in their full force. They defended with great spirit, and made much slaughter in the ranks of

the invaders, but of course they were overwhelmed and had to retreat. The party on the furnace road were strengthened to over one hundred ; they kept their field-piece in full play until the men who worked it were driven off with fixed bayonets ; then they spiked it, and retreated to a twelve-pounder which had been ordered to cover them, and from thence to the fort.

Very soon after the advance parties had been driven in, both Forts Montgomery and Clinton were invested on all sides, and an incessant fire kept up until night.

When the sun was about an hour high the British commander summoned the Americans to surrender as prisoners of war within five minutes and prevent the shedding of blood. The demand was refused, and about ten minutes afterward the enemy made a desperate assault and forced the lines and redoubts at both forts. The garrison being determined not to surrender, as many of them as could fought their way out and escaped through the forest. Governor Clinton slid down a precipice toward the river and escaped in a boat, which he found on the shore, to the other side. General James Clinton also escaped through the woods.

The forts were, without doubt, defended with great and commendable spirit, and against overwhelming odds. The loss on the part of the patriots was about one hundred killed and two hundred and fifty taken prisoners. The enemy lost seven field officers and upward of three hundred and fifty rank and file killed. Sir Henry Clinton commanded the British force in person, and had three general officers with him. A deserter who came in after the taking of Fort Montgomery stated that the attacking force of the enemy consisted of five thousand men, of whom three thousand were British troops and Hessian vaughers, the remainder new levies under Brigadier-General Robertson and Colonel Fanning. Sir Henry Clinton reported his force at three thousand.

After the surrender of the forts on the west side, as above, Fort Constitution was demolished by the garrison and abandoned. The fortifications being thus silenced, the enemy was enabled without hindrance to remove the obstructions which the Americans had placed in the river, and thus enjoy a free passage northward.

Governor Clinton, the same night in which he escaped from Fort Montgomery, proceeded to General Putnam's quarters to consult in regard to future movements. It was there agreed that General Putnam should withdraw his army to a very defensible pass in the mountains, about three miles below Fishkill Village, and call out the militia of the Eastern States ; that Governor Clinton should rally his scattered forces, and call out all the militia of Orange and Ulster counties.

As soon as the enemy passed the *chevaux-de-frise* both armies

were to move northward, so as to keep pace with the enemy, covering those parts of the country which would be their greatest object. Governor Clinton wrote to the Council of Safety at Kingston that as soon as the ships were likely to pass the *chevaux-de-frise* he would make a forced march to Kingston and endeavor to save that town ; that he was persuaded if the militia would join him, he could save the country with the exception of scattered buildings. But he soon afterward wrote again that the militia would not respond to his call. They were well disposed, but anxious about the immediate safety of their respective families, who for many miles back were removing farther from the river ; that they would come in the morning and return home in the evening, and he never knew when he had them or what his strength was. He further stated that the moment the enemy moved up the river he would take the route on the west side of the Wallkill to Kingston ; that he desired some small works to be thrown up toward Esopus Landing to cover it and secure the defiles leading to the town, and that every man who could fire a gun should be immediately impressed and employed on those works.

The Legislature remained in session at Kingston until Tuesday, the 7th day of October. On that day news was received by express of the reduction of the forts in the Highlands, that at once spread consternation throughout the country. The Senate adjourned until the next morning, but so many members of the Assembly at once absented themselves, some on military service, others for the necessary care of their families under the then existing circumstances, that there was not a quorum of the House left for the transaction of business.

But the state of affairs required action upon many important measures looking to the defence of the country and the safety of the inhabitants, and therefore the members of the Senate and Assembly in attendance at Kingston formed "a joint convention for the State to provide for the public safety."

From Ulster County Mr. Pawling, of the Senate, and Messrs. Hardenbergh, Snyder, Schoonmaker, and Rea, of the Assembly, were in attendance at the convention.

Pierre Van Cortlandt, the President of the Senate, was unanimously appointed president of the convention.

By the first resolution passed, the several county and district committees within the State, which were in being on the last previous 13th of September, and the commissioners for detecting and defeating all conspiracies in the State, were continued in being, and respectively vested with all powers and authorities they had previously had and exercised, and the members thereof respectively continued in office.

They also directed the committees to load the vessels at once with all kinds of provisions found in the immediate vicinity of the river and ship them to Albany, giving proper receipts therefor, and also move into the interior all cattle and live stock except such as in their judgment might be necessary for the immediate use of the inhabitants; and directed keepers to be appointed to have charge of the live stock, and with authority to impress pasture therefor.

The convention then appointed William Floyd, John Morin Scott, Abraham Yates, Johannis Snyder, Egbert Benson, Robert Harper, Peter Pra Van Zandt, Levi Pawling, Daniel Dunscomb, Evert Bancker, Alexander Webster, William B. Whiting, and Jonathan Langdon, or any seven of them, a Council of Safety, vested in the recess of the House, with the like powers and authorities which were given to the like Council of Safety appointed by the last convention of the State; that every member of the Senate and Assembly of the State, and of the delegates to Congress from this State, be entitled from time to time to sit and vote in said council; that they, or any seven of them, continue a Council of Safety as long as the necessities of the State require it.

The Council of Safety met at Kingston on the 8th of October. Mr. Floyd was chosen president.

The council ordered that the prisoners confined in jail, and the fleet prison at Kingston, be forthwith sent to Hartford, Conn., to be confined in such manner and at such places as the Governor of that State should direct.

A letter to be sent to Governor Trumbull with the prisoners was adopted by the House, as follows:

“KINGSTON October 8, 1777

“SIR You will, before this time, have heard the fate of Forts Montgomery, Clinton and Constitution. While assiduously employed in strengthening Gen Gates and the Northern Army, from an opinion that the fate of America would greatly depend upon our exertions in that quarter, the passes of the Highlands have been of necessity neglected. Add to this, that General Washington had called away almost all the Continental troops, which were in those posts, and you will readily perceive that we are entirely exposed. In this situation, it would be imprudent to keep a number of Prisoners in this State. We have therefore, by the bearer, sent to your care the several persons mentioned in the enclosed list

“Yours etc

“PIERRE VAN CORTLANDT *Pres'dt*

“*To Govr Trumbull—*”

On the same day the convention enclosed to General Gates the despatch which had been received from Governor Clinton in a letter, as follows :

“ October 8, 1777

“ SIR By the enclosed copy of the Governor's letter, you will perceive the situation we are reduced to ; and most probably will agree with us, that no time should be lost in reinforcing the Southern army ; for which purpose it is our earnest request to you, that at least the militia from the counties of Ulster and Dutchess, should be sent forward immediately if consistent with the safety of your department

“ Yours etc

“ PIERRE VAN CORTLANDT *Pres'dt*

“ *Major Gen Gates*”

At a meeting of the Council of Safety held in Kingston on the 10th of October, 1777, Colonels Pawling and Snyder were requested to issue the necessary orders to have all the male inhabitants of the districts in their respective regiments, of sixteen years and upward, capable of bearing arms, immediately equipped and provided with arms and ammunition, and to appoint proper alarm posts and places of rendezvous in case of the approach of the enemy.

It was ordered that Gerard Bancker, Vice-Treasurer of the State, do immediately cause all the moneys and property belonging to the Treasury of the State to be conveyed to Rochester, and that he consult with Hendrickus Hoornbeek, Johannis G. Hardenbergh, and Comfort Sands relative to the proper places for securing the same. After having cared for the moneys, he was required to attend the council from day to day, constantly provided with £1000 to answer such drafts as the council might from time to time order.

That John Henry, commissary of the clothing store, do immediately cause all the clothing of the State to be packed up in packages and taken to Rochester.

That John McKisson and Robert Benson, secretaries of the council, forthwith cause all the public papers under their care to be put into chests and packages and conveyed to Rochester.

It was also ordered that Abraham Hasbrouck, Joseph Gasherie, Dirck Wynkoop, Jr., Christopher Tappen, and Samuel Bayard, Jr., or any two of them, do forthwith cause the public records, which were transported to this place from the city of New York, to be put in proper packages or chests and conveyed to Rochester.

That Dirck Wynkoop and Oke Sudam cause the records of the county of Albany, of the county of Ulster, of the General Committee of the county of Albany, and the records belonging to the

office of the receiver-general of the colony of New York, to be put into boxes or chests and conveyed to Rochester. All the aforesaid records, papers, clothing, etc., were to be deposited in such places as the said Messrs. Hoornbeek, Hardenbergh, and Sands should recommend.

On the 11th of October the Council of Safety advised the governor that they had ordered the militia in the vicinity of Shawangunk to repair to that place, and the residue to rendezvous at Kingston.

It was at the same meeting ordered that Captain Benson cause all the armament and the accompanying apparatus on board of the armed vessel under his command to be landed, and that he should then take on board such provisions as the assistant commissary-general might think proper, and take the same to Albany.

On the 10th of October a picket guard of Colonel Webb's regiment, under the command of Lieutenant Brown, in the neighborhood of Little Britain, Orange County, captured Daniel Taylor, a first lieutenant in Captain Stewart's company of the Ninth Regiment of the royal army, who was on his way at the time as a messenger from Sir Henry Clinton to General Burgoyne. A portion of the picket guard were clothed in British uniform—red coats, which had been recently captured in a British transport. Taylor, deceived by the uniform, considered himself among friends and discovered himself. When arrested he asked the name of the commanding general. He was answered, "Clinton." Deceived further by the identity of the name, he requested to be conducted into the presence of the general. Upon reaching headquarters, instead of meeting Sir Henry Clinton, the commandant of the royal troops, he found himself in the presence of the American general, Governor George Clinton. He was observed to immediately put something in his mouth and swallow it. Dr. Moses Higby, a neighboring physician, was called upon, and administered a powerful emetic, which had the desired effect, and brought it forth; but, although very closely watched, he had the skill to conceal it a second time. Governor Clinton supposing it to be, as it was, a silver ball containing a letter, demanded its immediate production, or in case that was not done he would instantly hang him up and cut him open to search for it. The ball was then produced. It proved to be a small silver ball of an oval form, about the size of a fusée bullet, and which closed by a screw in the middle. Within was found a letter, of which the following is a copy:

"FORT MONTGOMERY October 8th 1777

"*Nous-y-voici*, and nothing now between us but Gates. I sincerely hope this little success of ours may facilitate your opera-

tions. In answer to your letter of the 28th Sept. by C.C. I shall only say, I cannot presume to order, or even advise, for reasons obvious. I heartily wish you success.

“Faithfully yours

“H CLINTON

“*To Gen Burgoyne*”

Taylor was detained, and tried by a general court-martial on the 14th of October, 1777, charged with “lurking about the camp as a spy from the enemy by order of Gen Clinton.” Colonel Lewis Du Bois was president. The prisoner was found guilty, and adjudged to suffer death, to be hanged at such time and place as the general should direct.

On the 12th of October the Council of Safety received a letter from Governor Clinton enclosing a copy of the letter thus taken from Taylor the spy. In that communication to the Council of Safety the governor, after referring to the favorable news from the north, wrote thus in regard to the intercepted letter: “By a copy of a letter from Gen Sir Henry Clinton to Burgoyne, now enclosed to you, you will observe that Clinton (Sir Henry) is no way confident of their being able to form a junction of their armies, though there are nothing but bars between them. I wish nothing more than that Clinton may attempt it. I am persuaded that though the chance of war may at times occasion our prospect to appear gloomy when the enemy push hard, yet it is in that way their ruin must and will be effected; and I greatly hope that Clinton, not wise enough to improve by example, will, like Burgoyne (flushed with his late success) give stretch to his forces, or at least send parties out to try the affections of the inhabitants; in either case I have no doubt he will meet with the same fate. Should this not be the case, I hope in a few days to have strength enough to be the assailant.”

After the enemy had obtained the control of the American forts in the Highlands, they, of course, found no difficulty in removing the obstructions at West Point; but it was still hoped that the *chevaux-de-frise* which had been sunk from Nicoll's Point to Pollopel Island would form a serious obstruction. Great was the disappointment of the Americans, however, when they saw a part of the British fleet come gliding along in single file, and, after the first vessel had made a momentary stop to reconnoitre, all pass through under easy sail in rotation. The mystery was soon explained; in building the obstruction a secret passage had been left for the river craft, and one of the artificers acquainted with its location had deserted to the British the night before and piloted the vessel through. Such wily secret enemies, coveting British

gold, appear to have wound themselves into misplaced confidence everywhere that an opportunity offered for betrayal.

The British commander, Clinton, after securing a passage through the obstructions for the fleet, despatched Captain Sir James Wallace with a galley, a schooner, and three small vessels up the river on a reconnoitring expedition. They proceeded above the Highlands on the 11th; they went to within about three miles of Poughkeepsie and then returned, having burned Van Keuren's Mills and a number of buildings on the east side of the river, and all the sailing craft that came within their reach.

Upon the return of this reconnoitring expedition the marauding expedition of General Vaughan was organized. It consisted of the following naval vessels under the command of Captain Sir James Wallace, who sailed in the *Friendship*, 22 guns; the *Molloy*, Captain A. J. Pye; the *Diligent*, Lieutenant Farnham; the *Dependence*, Lieutenant Clarke; the *Spitfire*, Lieutenant Scott; the *Crane*, Master Hitchcock; the *Raven*, Captain Stanhope, and twenty galleys and flat-boats.

On these vessels were embarked, as near as can be estimated, about sixteen hundred men, under the command of Major-General John Vaughan. This force embraced the Seventh, the Twenty-sixth, and Twenty-third regiments. The expedition sailed from Peekskill on the 14th of October with a fair wind, and on the night of the 15th anchored off Esopus Island.

On the morning of the 15th they were discovered by the Light Horsemen on guard at New Windsor, in their progress below Butter Hill under cover of a heavy fog. Governor Clinton was at once notified, and immediately, at 9 A.M., despatched a letter by express to the Council of Safety at Kingston, informing them of the movement of the vessels, and in which he stated, "Had it not been for this movement of the enemy, I intended this day or to-morrow to have drawn my few troops from this place toward the rear of Fort Montgomery, but I must now desist, and watch their motions; and should they land and march against me, with any considerable force, I shall be constrained with my present numbers to retreat before them, annoying them only if favorable opportunity shall offer. I was in hopes 'ere now, to have received the reinforcements from the northward, which you mentioned; not a man of which has yet arrived. I wish Col Pawling with his regiment was with me. Since writing the above the enemy's fleet, consisting of thirty sail, have passed Newburgh and with crowded sail and fair wind, are moving quick up the river, the front of them are already at the Dunskamer. There are eight large square rigged vessels among them, and all appear to have troops on board.

"My troops are parading to march to Kingston. Our route

will be through Shawangunk to prevent delay crossing the Paltz river.

"I leave Col Woodhull's, McClaughry's, and part of Hasbrouck's regiments as a guard along the river. Hawthorn's has gone to the southward, to guard a quantity of arms towards headquarters. . . . Let the Militia be drawn out ready to oppose the enemy : I will be with you if nothing extra happens before day ; though my troops cannot

"I am Yours etc

"GEO CLINTON"

In the mean time the Council of Safety continued holding two sessions daily, morning and evening, at Kingston, endeavoring to transact the necessary current business and provide for the safety of the public property and records. The last session at Kingston was held on the afternoon of the 15th of October, at the tavern of Conrad Elmendorf, situated at the southeast corner of Maiden Lane and Fair Street. The members in attendance at that session were : Colonel Pierre Van Cortlandt, President, and Messrs. Yates, Dunscomb, Floyd, Van Zandt, Parks, Scott, Webster, Rowan, Harper, Pawling, and Morris.

At that meeting a letter was received by express from John Barclay, chairman of the Albany committee, giving information of the capitulation of the army of General Burgoyne. The bearer of said letter was Bernardus Hallenbeek, to whom the council at once voted a reward of £50.



CONRAD ELMENDORF'S TAVERN.

The council immediately at about five o'clock in the afternoon forwarded that despatch by express, together with a letter, to Governor Clinton, informing him that "we have just received information from the Landing, that about thirty sail of the enemy's vessels appeared opposite the Esopus Island, and are standing up the river. Some works have been thrown up below, according to your Excellency's requisition. Alarm guns have just been fired. We have not any particulars, on this occasion, more than already mentioned. We shall forward any further information to you, as it may from time to time occur, without the loss of a moment. In the meantime Sir, give us leave to assure you, that we will contribute all in our power to enable the militia officers, who command here to make the best possible defence, at this post during your Excellency's absence

"I have the Honor to be Your Excellency's Most Ob't Serv't

"PIERRE VAN COURTLANDT *Pres'dt*

"*His Ex Gov Clinton*"

The express messenger to whom this letter and above-mentioned despatch were intrusted for transmission to the governor was Cornelius Cole, the same Light Horseman who had been summoned on the 9th of October before the Council of Safety upon complaint of neglect or refusal on his part to do his duty when called upon. He did not appear to have improved any under the warning of the Council of Safety, as instead of pressing forward with his despatches, to hasten if possible the arrival of the troops, he studied his ease and comfort, and stopped for the night at a farm-house by the wayside, where he was found the next morning by another and subsequent express leisurely preparing to depart on his journey. His residence, unfortunately, did not happen to be in the threatened village of Kingston.

In Kingston there was, of course, the greatest excitement and commotion, the inhabitants striving to get away themselves, and moving as much of their worldly possessions and valuables as possible out of reach of the vandal hordes. All who were able billeted themselves upon their friends, principally through Hurley, Marbletown, Rochester, and Warwasing.

Governor Clinton arrived with his staff about nine o'clock on the evening of the 15th, having left his army to press forward as rapidly as possible. After learning the situation of affairs, and transmitting several despatches, he left on the morning of the 16th for Marbletown. Finding that it was impossible for the main body of his army to reach Kingston in time to be of any service, he sent orders for them to halt and proceed no farther.

The British fleet, on the night of the 15th of October, came to

anchor near Esopus Island, and next morning, the 16th, they weighed anchor at an early hour, and arrived at the mouth of Rondout Creek, opposite Columbus Point, about nine o'clock. The Lady Washington galley was at that time lying in the mouth of the creek opposite Ponckhockie. The British from their fleet soon opened a heavy fire upon the said galley and upon two batteries or earthworks which had been hastily thrown up on the high ground back of Ponckhockie, since known as Breastwork Hill, and where five light pieces of cannon were in position.

The firing was continued for some time on both sides with but little damage. Soon after noon the British made preparations to land in two divisions, one, comprising about four hundred men, in Rondout Creek, where the old Cantine Dock, afterward known as the Tremper Dock, was formerly situated, and the other in the cove above Columbus Point.

The Lady Washington galley was then run up the creek and scuttled near Eddyville. A party of British seamen who were in chase of that vessel landed on the south side of the creek, where South Rondout is now situated, and burned the house of Wilhelmus Houghteling, Jr. Other British seamen, with boats from their respective vessels, boarded and set fire to the fleet prison and other vessels lying in the creek.

The division of the English invading, or, rather, marauding force, which landed at the Ponckhockie Dock, at once attacked and carried the breastworks at the point of the bayonet. The defenders, only one hundred and fifty in number, under Colonels Levi Pawling and Johannis Snyder, remained until the last minute, then spiking the guns, retreated up the creek. The English at once burned the only houses that were then standing along the creek at the landing, three in number, and when that *brave* feat was accomplished, they proceeded to form a junction with the other division and attack the village of Kingston.

The main body of the force, commanded by General Vaughan in person, landed on the beach in the cove just above Columbus Point. They seized a negro and compelled him to act as guide, and then took the direction to Kingston, mounted the hill, and united with the other division, which had marched up the landing road, at or near the present junction of Union and Delaware avenues. On their way they fired the house of Moses Yeomans, but the fire was extinguished by his slaves before much damage was done.

General Vaughan was met by Jacobus Lefferts, a Tory from the city of New York, who was residing with his family in Kingston. He informed him that a despatch had been received in Kingston the evening before alleging the capitulation of General Burgoyne.

The invading force marched to the village without resistance. Some accounts state that there was a scattering fire kept up by

a few men stationed in the woods near where the City Hall now stands, but the writer has been told by a number of Kingstonsians living at that time, some of whom were members of the militia, that there was a small detachment of militia stationed in the woods in that locality, about one hundred strong, and the men were anxious and begged to be permitted to fire and pick off the officers : but the officer in command would not allow, but forbade it. Such, in the early days of the writer, was the traditional and generally received opinion in this vicinity, confirmed by the statements of contemporaries. If the commandant of that detachment had not been the nobler man of the two, and thus careful of the lives of British officers, General Vaughan might not have lived to set forth in his official report the wilful and base falsehood, as a justification for his act of vandalism, that "on our (the British troops) entering the town, they (the citizens) fired from their houses, *which induced me* to reduce the place to ashes, which I accordingly did, not leaving a house." The truth is that the people had fled from their homes, and no resistance at all was offered after the troops reached the village. The manufacture and promulgation of the falsehood, however, shows that he appreciated the villainy of his conduct, and was not altogether devoid of shame.

As soon as the troops reached the village they were divided into small parties and led through the different streets, firing the houses and outbuildings as they proceeded. They did not tarry long, but made haste to complete their work of destruction, as they were informed by the Tory Lefferts, and knew from other sources, that Governor Clinton was *en route* with his army to meet them, and could not be very far distant. They therefore hastened in their work, gathered what plunder they could, and returned to their ships within three hours of the time of their embarkation.

Thus was the village of Kingston, then the third place in size and importance in the State of New York, wantonly destroyed and the inhabitants punished for their patriotism by the destruction of nearly all their worldly stores, and in some cases reduced to actual poverty and want.

The advance division of Governor Clinton's forces reached the high grounds at Kuyckuyt, on the Greenkill road, overlooking the village, in time to see the whole village in flames and the invading forces retiring in haste to their ships.

On the next day, the 17th of October, desiring to make a further display of their valor where there were no opposing forces to stay their progress, and that their official despatches might blazon forth the statement that "the officers and men upon this occasion behaved with the greatest spirit," they landed about four miles

above Kingston, at the isolated farm-house of Petrus Ten Broeck, on the west side of the river, and, finding no one to welcome or oppose them, burned his house, storehouse, and barn. That property is still in the hands of the immediate descendants of Mr. Ten Broeck, and the marks of the burning are still visible upon a tree which stood within a few feet of the house, and which, having recovered from the effects of the fire, is still standing, of large proportions, with its century's growth. They at the same time in the same way visited their vengeance upon the sterling Whig families, the Whittakers.

The following are the official accounts of the British officers in regard to the burning of Kingston :

“ON BOARD THE FRIENDSHIP OFF ESOPUS)
October 17, 10 O'clock Morning }

“SIR I have the honor to inform you that on the evening of the 15th instant I arrived off Esopus ; finding that the rebels had thrown up works and had made every disposition to annoy us and cut off our communication I judged it necessary to attack them, the wind at that time being so much against us that we could make no way. I accordingly landed the troops attacked the batteries drove them from their works, spiked and destroyed their guns. *Esopus being a nursery for almost every villain in the country* I judged it necessary to proceed to that town. *On our approach they were drawn up with cannon which we took and drove them out of the place. On our entering the town they fired from their houses* which induced me to reduce the place to ashes, which I accordingly did not leaving a house. We found a considerable quantity of stores, which shared the same fate.

“Sir James Wallace has destroyed all the shipping, except an armed galley which ran up the creek, with everything belonging to the vessels in store.

“*Our loss* is so inconsiderable that it is not at present worth while to mention.

“I am etc
“JOHN VAUGHAN”

“GALLEYS AND ARMED VESSELS OFF ESOPUS CREEK)
Oct 17, 1777 }

“SIR We proceeded up the river destroying a number of vessels as we sailed along without stopping till we arrived at Esopus Creek where we found two batteries one of two guns the other of three guns erected, and an armed galley at the mouth of the creek who endeavored to prevent our passing by their cannonade. Gen Vaughan was of opinion such a force should not be left behind. It was determined to land and destroy them, and imme-

diately executed, without retarding our proceeding up the river. The general marched for the town and fired it. The boats from the armed vessels went up the creek burnt two brigs, several armed sloops and other craft with all their apparatus that was in store upon the shore. Lieut Clarke of the 'Dependence' with two or three others, in firing the stores was blown up, but we flatter ourselves not dangerously.

"*The officers and men on this occasion behaved with the greatest spirit.*

"By all our information I am afraid that Gen Burgoyne is retreated if not worse.

"I have etc

"JAS WALLACE

"*Commodore Hotham*"

In the official report of the commanding general, Sir William Howe, to Lord George Germaine, dated October 25th, 1777, is contained the following passage :

"I have the satisfaction to enclose to your Lordship a report just received of a *very spirited* piece of service performed by Major Gen Vaughan and Sir James Wallace up the Hudson river."

The following notice of the proceedings of the expedition up the Hudson appeared in the New York *Gazette*, November 3d, 1777 :

"October 15 Three sloops taken in attempting to escape to the Fishkill, and two pettiangers destroyed

"The house mill and outhouses, and a sloop belonging to Col Francis Stoutenburgh at Crum Elbow, burned. Two sloops on the East side burnt that evening

"October 16 Set fire to two brigs, etc and burnt Kingston

"October 17 The house, storehouse, barn, etc of Mr Petrus Ten Broeck, a rebel General, the house, barn and outhouses of Robert Gilbert Livingston and a house and mill belonging to Judge Livingston on the East side of the river burned.

"October 18. Another house belonging to Judge Livingston, one to Mr John Livingston, with three others destroyed in like manner

"Oct 22—Two houses one the property of Judge Smith, on the east side a sloop and barn likewise two houses, with their appendages on the west side were burnt and on the 23rd a sloop was burned on the stocks

"In the town of Kingston, a large quantity of powder, and a large number of fire arms together with many valuable stores were destroyed."

The *Gazette* then further proceeds to state that :

"Another more accurate account from Esopus informs us that on the landing of Gen Vaughan with the troops under his com-

mand the rebels without the least prospect of advantage to themselves fired upon them from a breastwork just thrown up and which they did not stay to defend. This joined to an insolent and provoking behavior occasioned the army to march up and set fire to the town which was presently entirely consumed.

"There were destroyed 326 houses with a barn to almost every one of them, filled with flour besides grain of all kinds much valuable furniture and effects, which the royal army disdained to take with them. Twelve thousand barrels of flour were burnt, and they took at the town four pieces of cannon, with ten more upon the river, with 1150 stand of arms with a large quantity of powder were blown up. The whole service was effected and the troops re-embarked in three hours."

Governor Clinton immediately after the burning and the arrival of his forces, concentrated them at Hurley, and wrote the following letter to General Gates :

"MARBLETOWN 17th Octr 1777

"DR GENERAL

"Yesterday afternoon about four O'clock, the enemy took possession of and burn't the town of Kingston. For want of a proper number of troops, no resistance could be made. I have now the body of men under my command, which marched from New Windsor to my assistance, and shall immediately proceed to the ruins of Kingston, which the enemy have abandoned. I have sent off a party of Lighthorse to reconnoitre, and shall act in such manner as the motions of the enemy may direct. . . .

"I have the honor to be etc

"GEO CLINTON

"P. S.—A prisoner, by no means intelligent, says that the enemy are two thousand strong commanded by Gen Vaughan."

When General Gates received the news of the burning of Kingston, just after the surrender of General Burgoyne, he forwarded the following letter to General Vaughan by the boat carrying Lord Petersham with despatches from Burgoyne to Sir Henry Clinton informing him of his surrender :

"ALBANY 19 October 1777

"SIR

"With unexampled cruelty, you have reduced the fine village of Kingston to ashes, and most of the wretched inhabitants to ruin. I am also informed, you continue to ravage and burn all before you on both sides of the river. Is it thus your King's generals think to make converts to the Royal cause? It is no less surprising than true, that the measures they adopt to serve their

master, must have quite the contrary effect. Their cruelty establishes the glorious act of Independence, upon the broad basis of the general resentment of the People.

“Other Generals, and much older officers than you can pretend to be, are now by the fortune of war in my hands ; their fortune may one day be yours, when, sir, it may not be in the power of any thing human to save you from the just vengeance of an injured People

“I am Sir Yr most obedt hum serv’t

“HORATIO GATES

“*The Hon John Vaughan Majr General*”

CHAPTER XVIII.

EXTENT OF DAMAGES—MAP, AND LIST OF SUFFERERS—RELIEF
FURNISHED—SOME TRADITIONS STATED.

HAVING thus recorded the act of vandalism by the high-toned Britons, it will be interesting to pause and contemplate, as far as we are able, the extent of the damage and the names of the suffering patriots.

In the absence of any official record the opinion has generally prevailed, based upon tradition, that Kingston was entirely consumed, only one house and one barn having been left standing. The house was understood to have been that of Tobias Van Steenberg, Jr., which is still standing, having undergone some slight alterations, on the west side of Wall Street, directly opposite to the western terminus of Bowery Street.

The barn was that of Benjamin Low, which stood on the east side of Wall Street, directly adjoining the north end of the burying-ground. It was afterward moved back about seventy-five feet, to make room for a building put up by one Noah Wells, a subsequent owner, for a hatter's shop. The barn remained standing there until a short time before the savings-bank building was erected, covering its original site.

Rivington's *New York Gazette* (a Royalist paper) of October 27th, 1777, contains an abstract from a letter written on board the British fleet at Esopus, which states that "every house except that of Alderman Lefferts of New York, was set on fire and consumed." Alderman Lefferts's house is understood to have been the house then standing, where Mr. Hayes's house now stands, on the north side of Albany Avenue about three hundred feet distant therefrom. At that time the eastern boundary of the settled part of the village was East Front Street, beyond which street the Lefferts house was more than half a mile distant. All beyond East Front Street, outside of the fence above the brow of the hill, was lying in commons, and called "the plains." That may account for the Lefferts house not being included generally in houses saved in the village.

The *New York Packet* of October 23d, 1777, says that "the conflagration was general, and in a very short time that pleasant



VAN STEENBERGH HOUSE, THE ONLY HOUSE WHICH ESCAPED THE FIRE.

and wealthy town was reduced to ashes—one house only escaped the flames.”

There is still another tradition that a brewery situated on the south side of North Front Street, a short distance west of Greene Street, was not burned. The tradition in reference to that building is that a negro slave of the proprietor rolled out the beer-barrels and treated the soldiers bountifully with their national drink, at the same time accompanying the act, in the negro’s melodious voice, with singing English national songs, with which the soldiers in their hilarity were so much delighted, that they spared the building for his sake, and enthusiastically joined in the choruses.

Colonel Abraham Hasbrouck, who was a resident of Kingston at the time, in his diary, which is still in existence, and was kept by him with regular entries for many years, states that “the enemy burnt all the houses and barns *except one house and barn* in the town.”

The only *official* document giving the names of the sufferers at the burning of Kingston is the list of names reported by Andries De Witt, Edward Schoonmaker, and Benjamin Low, who in June, 1786, were appointed a committee by the trustees of the corporation of Kingston “to make a list and estimate of the persons entitled to, and having an interest in the donation of lands, made by Chancellor Livingston to the Inhabitants and residents of this

town, who are the sufferers in the late conflagration of the said town."

The particulars of the donation will appear in a subsequent chapter. It was of five thousand acres of land to be disposed of by the trustees "in such way as will be most advantageous to the suffering inhabitants of Kingston." The tract was divided by the trustees in one hundred fifty-acre lots. The committee reported only a sufficient number of names to equal the number of lots to be distributed. So far as it goes it is reliable, but does not name all the sufferers. Upon what basis the selection was made does not appear.

In 1886 some parties in looking over bundles of old papers which had been packed away in the loft of an office by Peter Marius Groen, the grandfather of the writer, including some of his personal papers, as well as some which came into his hands as administrator of the estate of Peter Van Gaasbeek, long since deceased, an old paper was found purporting to be "a true account of the Dwelling houses, Barns, outhouses and Barracks destroyed at Kingston 16 Oct'r 1777 by our enemies under the command of Maj G. Vaughan."

It contains 113 names, 115 dwelling-houses, 103 barns, 146 barracks, 17 storehouses, including a market and brew-house; also a church, an academy, 2 school-houses, and court-house.

It has the appearance of being and undoubtedly is an ancient paper; but there is nothing upon it to indicate when it was made or by whom. In appearance it indicates more clearly a rough draft than a carefully prepared statement.

It omits the names of several persons who are reported as sufferers in the official statement above referred to.

Nathan Smedes's mill in North Front Street, Jacob Tremper's house in Greene Street, were all unquestionably burned, and they are put down as only having had barns burned.

In it the brewery is put down as having been burned and as belonging to Dirck Wynkoop, whereas it belonged to Johannis Slegt, and according to tradition was not burned.

Both papers will be set forth in full in the Appendix. *A rate bill of the English school*, for six months immediately preceding and up to the day of the burning, with names of parents and scholars, will also be given in the Appendix, and be particularly referred to in a subsequent chapter.

The large number of barns and barracks burned at a time of the year when the entire season's crop must have been gathered in a locality noted for its fertility, and the then great grain-producing region of the State, indicates a loss to the farming community which must have been great and cannot be estimated.

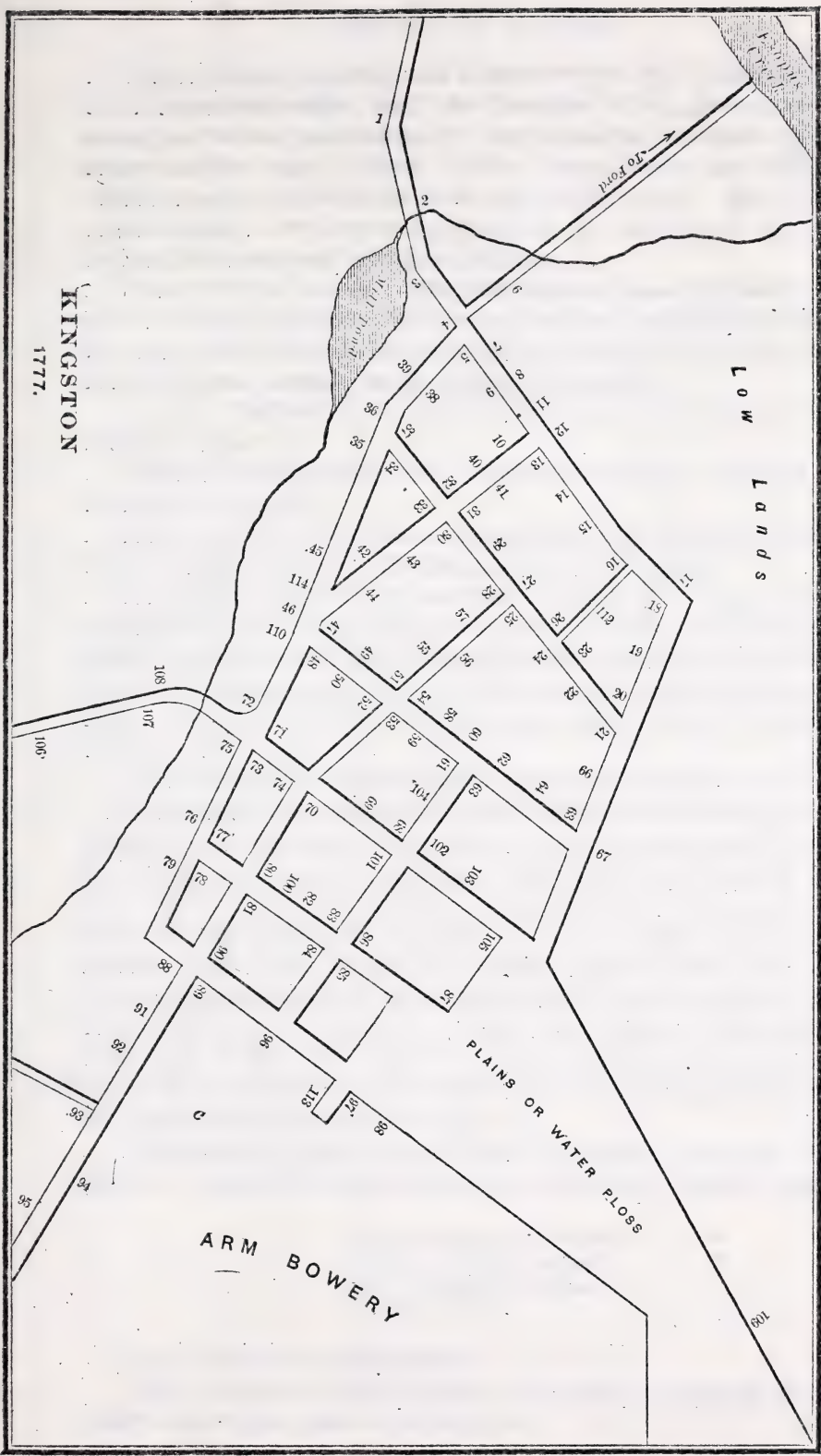
It has been generally supposed that the Lefferts property escaped destruction by reason of the rank Toryism of the owner. But if the memorandum previously referred to, and contained in the Appendix, is correct, his barn and two barracks were burned. On account of a hole in the paper it cannot be seen what report it made as to the house. There is also a tradition in regard to the Lefferts place, that the soldiers, after firing the barn and barracks, were determined also to burn the house, and while Mrs. Lefferts was parleying with them to prevent it, the return call sounded and the soldiers left, leaving the house untouched. In reference to the Van Steenberg house there are various accounts given. One is, that Mrs. Hammersly, a prominent Tory lady, lived there, and the house was spared on her account. That does not appear very probable, judging from the conduct of the red-coats on other occasions. Another is, that they set fire to the house, but the recall was sounded before the fire had progressed much, and was quickly extinguished by the slaves, who were concealed in the woods in the immediate neighborhood. Another account given is that, it being a hotel, one of the slaves who remained behind rolled out a barrel of rum, knocked in the head, and treated the soldiers to their hearts' content until the recall sounded, when they left, leaving the house untouched.

As to the brewery, the account of its escape is also accredited to beer-barrels being rolled out by a slave and the contents freely distributed among the soldiers, as before stated.

The following is a list of the sufferers at the burning of Kingston, October 16th, 1777: .

Cornelius Beekman.....	65	John Beekman.....	75
Evert Bogardus.....	83	Gertrey Bogardus.....	6
Nicholas Bogardus.....	1	Petrus Bogardus.....	60
Abraham Brinckerhoff....	63	Isaac Burhans.....	
Petrus Burhans.....			
David Cox.....	24	Coenraedt Crook.....	87
Abraham De Lametter....	48	David De Lametter.....	105
Johannis B. De Witt.....	43	Rev. George J. L. Doll...	53
Egbert Dumont.....	36	John Dumont.....	38
Peter Dumont.....	81		
Abraham Elmendorf.....	93	Ariantje Elmendorf.....	
Benjamin Elmendorf.....	94	Coenraedt Elmendorf.....	85
Coenraedt J. Elmendorf...		Cornelius Elmendorf.....	11
Jan Elmendorf.....		Mary Elmendorf.....	52, 62, 102
Dr. Jacobus Elmendorf...	39	Abraham Eltinge.....	16
William Elsworth.....	14	Elizabeth Eltinge.....	41
William Eltinge.....	9		

Abraham Freer.....	101	Anthony Freer.....	12
Johannis Freer.....	55	Solomon Freer.....	
Joseph Gasherie.....	8		
James Hamilton.....	89	Abraham Hasbrouck.....	67
Abraham Hasbrouck, Jr..		Elias Hasbrouck.....	51
Abraham Hermance.....	88	Jacob Hermance.....	90
Anthony Hoffman.....	5	Philip Houghteling.....	69
Teunis Houghteling.....	97	Petrus Hudler.....	112
Cornelius Janse.....	37	Johannis Janse.....	71
Richard Inglis.....		Dr. Thomas Jones.....	82
Catharine Kiersted.....	64	Dr. Luke Kiersted.....	37
William Kirby.....			
Abraham Low.....	40	Benjamin Low.....	56
Cornelia Low.....	25	Jacobus Low.....	58
Jacob Marius Groen.....	79	John McLean.....	77
Abraham Masten.....	19	Benjamin Masten.....	91
Cornelius Masten.....	108	Ezekiel Masten.....	87
Johannis Masten.....	10	Johannis Masten, Jr.....	90
Johannis Persen.....	29	Matthew Persen.....	30
James Roe.....	7	Frantz P. Roggen.....	31
Henry Sleght.....	42	Henry Sleght, Jr.....	21, 23
Johannis Sleght.....	3 & 4	Johannis Sleght, Jr.....	
Petrus Sleght.....		Teunis Sleght.....	
Nathan Smedes.....	2	Johannis Snyder.....	84
Oke Sudam.....	26	Adam Swart.....	100
Benjamin Swart.....		Petrus Swart.....	80
Philip Swart.....		Tobias Swart.....	50
Benjamin Ten Broeck.....		Jacob Ten Broeck.....	109
Matthew E. Thompson....	20	Jacob Tremper.....	46
Abraham Turck.....		Jacob Turck.....	66
Christopher Tappen.....	15		
Philip Van Buren.....		Tobias Van Buren.....	81
Nicholas Vanderlyn.....	27	Cornelius Van Keuren....	98
Gerrett Van Keuren.....	34	Johannis Van Keuren....	59
Abraham Van Gaasbeek..	18	Abraham Van Gaasbeek, Jr.	
Ann Van Steenbergh.....		Lena Van Steenbergh....	
Matthew Van Steenbergh..	92	Tobias Van Steenbergh....	103
Tobias Van Steenbergh, Jr.			
(not burned).....	95	Cornelius Velie.....	21
Direk Wynkoop.....	72, 68	Johannis Wynkoop.....	17
Cornelius Wynkoop.....	76		
The Academy.....	33	Church.....	54
Two Schoolhouses.....	104, 114	Market.....	110
Mill.....	2	Brewery (not burned).....	3



KINGSTON
1777.

Low Lands

PLAINS OR WATER PLOSS

ARM BOWERY

Those whose property was located within the village are given in alphabetical order, and the location of their houses designated, as far as practicable, by corresponding numbers upon the accompanying map. Those whose houses were not within the village, but on the creek or river, are stated below. Some of them were burned a few days subsequent to the burning of the village, but by the same marauding expedition.

Those whose houses cannot be located have no numbers. It will be found that there are several houses located by number on the map which have no corresponding number on the list, because the *then* owner cannot be positively designated.

Jacobus Lefferts's property, located north of 109 and beyond range of map.

Sufferers along water front, Rondout Creek and Hudson River, outside of village :

Moses Cantine, Wilhelmus Houghteling, Jr., Petrus Ten Broeck, John Whitaker, Petrus Whitaker, Samuel Whitaker.

In another chapter an account is given of a large fire which originated in the house (No. 35 on map) of Colonel Abraham Hasbrouck, in October, 1776, by which houses located at points numbered on the map as 10, 13, 34, 35, 40, and 41, were burned at that time. Some were rebuilt wholly or partially before October, 1777, and some were not.

The colored burying-ground is numbered on the map as 113.

It is reasonable to suppose that when the British approached Kingston the unarmed inhabitants who had not already fled from the village made what expedition they could to get out of harm's way. They did not all take it as easy as the two industrious burghers who were so intently engaged at work in a field on the "Arm-bowerye" near the village, as tradition asserts, that they did not notice the approach of the enemy until they were directly upon them, when, in the height of their astonishment and alarm, one cried out, "*Me haave oop!*" and the other in chorus said, "*Eke oke!*" thus, in the tremor for their lives, acknowledging themselves the dutiful subjects of the King.

Whatever may have been their expedition, however, whether speedy or laggard, it gave rise to the following Dutch doggerel :

"Loop, jongens, loop, de Rooje
Komme. Span de wagen
Voor de paerde, en vÿ na
Hurley toe."

The translation is as follows :

"Run, boys, run, the red-coats are coming. Harness the horses before the wagon, and to Hurley ride."

After the British had completed their work of destruction and returned to their shipping, those of the inhabitants who were in the immediate vicinity returned to endeavor, if possible, to recover something from the smoking ruins. But the destruction generally was complete, and nothing but ashes and bare walls left of their once comfortable homes. Many who, notwithstanding the taxation and burdens of protracted war, had accumulated some property, found themselves by this act of vandalism again reduced to poverty. All were obliged for a time to throw themselves upon the hospitality of their friends. As soon as practicable, the suffering inhabitants commenced building temporary shelters to withstand the blasts of approaching winter. Those whose homes had been of stone were enabled to rest their huts, in the form of a lean-to, against the standing walls.

The cry of indignation and shame at the uncalled-for brutality was heard from every part of the land, and the true American heart, which ever beats in sympathy for the wronged and the oppressed, sent forth sympathetic resolves and donations from various portions of the country. A country impoverished by war and oppression could not be expected to do much for the relief of others, but what they did was received with the thanks and the prayers of those whose burdens, to some extent at least, were lightened thereby. Noblest among all of our sister States in that day of trial stood South Carolina, as shown by a letter still extant, written in behalf of her citizens to Governor Clinton.

“CHARLESTOWN 31 March 1778.

“SIR

“I do myself the pleasure to send you, herewith, the sum of £3711 10 equal to £927 17 6 New York currency. This money has been received for the charitable purpose of alleviating the distresses of the now indigent inhabitants of the town of Kingston, who by the ravages of the enemy are reduced to poverty and want. A much larger sum would have been collected had not a melancholy accident by fire called the immediate attention of many liberal souls to dissipate the wants of many of the inhabitants of the capital of this State, who are reduced to beggary by the late dreadful conflagration.

“From a personal acquaintance with your excellency, I persuade myself you will readily excuse the trouble I give, in requesting your attention to a proper distribution of this donation. I have the pleasure to be with sentiments of esteem and respect

“Your most obedient Hum'l Serv't

“ABM LIVINGSTON

“*His Excellency George Clinton*”

Robert R. Livingston, too, richer in lands than in personal property, and embarrassed by the destruction of his house and the ravages of the enemy upon the same marauding expedition, made the munificent gift of five thousand acres of land for the relief of the inhabitants of Kingston. The fact is simply noted here, as it will be necessary to refer to it more fully hereafter.

There are some family incidents and traditions connected with the burning of the place which may be of some interest, and will be noticed here, embracing in some cases the reasons why some buildings supposed to have been saved were not burned.

Before stating those traditions, however, it deserves special mention here that the family of Christopher Tappen, who was deputy county clerk and also clerk of the trustees of the corporation of Kingston, devoted their entire energies, upon the approach of the British, toward the preservation of the public and corporate property in his charge, at the expense and loss of all his chattels and private papers, which were left behind and consequently rifled and destroyed by the British.

Benjamin Low lived opposite the Court House in Wall Street. A short time before the burning of Kingston a well-dressed, gentlemanly-looking man on horseback stopped at the door and saw Mrs. Low, Mr. Low being away from home. He wanted to stop there; said he was sick, and could not go any farther. She told him it might not be safe for him to do so, and he might be a British spy. He said he came from Newburgh, and was going to Rochester to teach school. His horse was put out, and he came in, and she showed him to a room where he could lie down. When Mr. Low came home and found a strange horse in the barn he wanted to know whose it was. Mrs. Low told him that a man had come there, complained of being sick, and she could not turn him away. Mr. Low replied, "He is a British spy, I know he is." He remained there a week, and Mrs. Low doctored and cured him, so that he got up and walked round the place and premises.

One night when Mr. Low came home he said to his wife, "Becky, they are going to arrest that man in the morning as a spy; leave the back door unlocked, as they will come very early." He said he would not sleep any, and when they went to bed he spread Mrs. Low's gown out and laid on it. He did get asleep, however, and she then slipped her gown from under him and made her way quietly up-stairs. She found her guest sitting up and writing; he had a brace of pistols and a sword lying on the table, and his boots standing on the floor at the side of him. As soon as he saw her he came up to her and said in a whisper, "My good little Dutchwoman, I am a British spy. I have heard all that was said, and will get away and be off." She said to him, "Prom-

ise me one thing, that you will not burn Kingston." He said he could not do that, but he would promise that "that house would not be burnt, and the family would not be injured." He told her if he got away safe he would write to her. (But she never heard from him.) He offered her a bag of gold, but she refused to take it. She then left him and slipped quietly to bed without having aroused her husband or being missed by him.

Very early in the morning the men came, passed very quietly up-stairs, to find "the bird flown." They soon came down, making a thundering noise.

As soon as it was known that the British were coming up the river the women and children in the family were sent to Hurley. After they were there Mrs. Low told her husband that she wanted to wash. He told Peter, their colored man, to harness up the team and take Mrs. Low to town. While she was at the house a woman came in and said the British were on the plains. She then called Peter, and when he came to the house with the team she got in the wagon; the British were then coming round the church corner, firing the buildings as they came. She looked round, and recognized the first man on horseback as her lodger. Mrs. Low thought their house had not been fired, but had caught by sparks from other buildings.

This statement is given as it was told by Mrs. Low herself to her daughter, the mother of Benjamin Newkirk, one of the oldest and a highly respected inhabitant of this city.

This family tradition seems to explain the exemption of the barn from the general destruction. If that had been fired, considering the inflammable material in barns at that season of the year in a farming community, it is not probable that it could have escaped; and adjoining the burying-ground, unless the wind was from the north, there was no dangerous exposure.

A woman and her daughter, at the time of the burning of Kingston, had been boarding for some time with a widow lady, Mrs. Cornelia Low, at her house standing at the southeast corner of Wall and John streets. When it became apparent that Kingston was the objective point of the British, marked for destruction, and Mrs. Low commenced preparations for the removal of her goods, this lady told her that she was the wife of a British officer, and would stay and protect her property from destruction, and urged her not to move anything. Mrs. Low placed no confidence in her protecting power, and, in the first place, buried the best part of her china in the garden. The next day she had a wagon at the door loaded with her choicest furniture, and her daughter Catharine on horseback, with a tea-caddy containing her silver spoons, ready to depart for a place of safety, when her brother John came and in-

sisted upon putting everything back in the house, saying that he did not believe the British would burn the village.

Mrs. Low and her daughter went to Kyserike to a brother's and left everything behind, and this British officer's wife in charge.

When the red-coats came this woman, true to her word, protested against anything being touched, claiming exemption and protection as the wife of a British officer. Her plea was of no avail; they hooted her and said, "You will all claim to be British officers' wives now." They seized her chest, drew it into the street, broke it open, and rifled it of everything that was valuable; fired the house, and dragged the daughter away with them, the mother following with screams and cries. Finally when they reached the plains, where the Academy now is, they tore the earrings out of the daughter's ears and let her go.

This statement comes direct, substantially as above related, from the grandmother of the writer, who was the person on horse-back ready to leave with the spoons.

To digress, it may be said the result of this protection was very similar to that of Robert R. Livingston on the opposite side of the river. There were then some sick British officers staying at Mr. Livingston's under parole and nursed by the family. When the British were marauding on that side of the river Mrs. Livingston made preparations to remove what goods she could. The officers then advised her not to do so, and offered to protect the property. She did not feel it safe to rely on their promises. She caused to be piled what furniture they could upon a couple of carts, and the last load was not out of sight when she turned around to see the dwelling in flames.

Gratitude and kindness have saved many lives from the tomahawk and scalping-knife, and buildings from the savage torch, but they made no impression upon the wearers of the British red-coats in that day.

Some years ago, when improvements had been commenced and were in progress upon some of the table-land rising above Ponckhockie, the workmen exhumed, about three feet below the surface, twenty-nine six-pound cannon-shot in a heap, and a straggling one a short distance from the rest. By the balls was a decayed stump. A few yards from this spot were found four wrought-iron axles of a gun carriage, about a foot below the surface. The balls were coated with rust, and the axles hardly oxidized.

Those things were found on a table-land somewhat higher than the Ponckhockie level, and the trace of a breastwork at that time was distinctly visible. This was undoubtedly the locality of the breastworks hereinbefore referred to as erected and manned by a

few of our militia, and stormed and taken by the detachments landing at Ponckhockie.

It may be a relief from the dull prose of history, and not entirely inappropriate, to close this chapter with a short but beautiful extract from one of Cooper's novels, "The Pioneers," in which his hero, Leatherstocking, after describing the beauties of the Otsego Lake and its surroundings, proceeds to say: "'I have travelled the woods for fifty-three years, and I have made them my home for more than forty, and I can say that I have met but one place that was more to my liking, and that was only to eyesight and not for hunting or fishing.'

"'And where was that?' asked Edwards.

"'Where! why, up on the Catskills. I used often to go up into the mountains after wolves' skins and bears; once they bought me to get a stuffed painter; and so I often went. There is a place in them hills that I used to climb to when I wanted to see the carryings-on of the world that would pay any man for a barked shin or a torn moccasin. You know the Catskills, lad, for you must have seen them on your left as you followed the river up from York, looking as blue as a piece of clear sky, and holding the clouds on their tops as the smoke curls over the head of an Indian chief at a council fire. Well, there is the High Peak and the Round Top, which lay back like a father and mother among their children, seeing they are far above all the other hills. But the place I mean is next to the river, where one of the ridges juts out a little from the rest, and where the rocks fall for the best part of a thousand feet, so much up and down that a man standing on their edges is fool enough to think he can jump from top to bottom.'

"'What see you when you get there?' asked Edwards.

"'Creation,' said Natty, dropping the end of his rod into the water and sweeping one hand around him in a circle; 'all creation, lad. I was on that hill when Vaughan burnt 'Sopus, in the last war, and I seen the vessels come out of the Highlands as plain as I can see that line scow rowing into the Susquehanna, though one was twenty times further from me than the other. The river was in sight for seventy miles under my feet, looking like a curled shaving, though it was eight long miles to its banks. I saw the hill in the Hampshire Grants, the highlands of the river, and all that God had done or man could do as far as eye could reach. You know that the Indians named me for my sight, lad, and from the flat on the top of that mountain I have often found the place where Albany stands; and as for 'Sopus! the day the royal troops burned the town the smoke seemed so nigh that I thought I could hear the screeches of the women.'

the first of these is the fact that the population of the country has increased very rapidly since the year 1800. This has been the result of a number of causes, the most important of which are the discovery of gold in California, the discovery of oil in Texas, and the discovery of coal in the West. These discoveries have led to a rapid increase in the population of the country, and have also led to a rapid increase in the production of goods and services. This has led to a rapid increase in the standard of living of the people, and has also led to a rapid increase in the power of the United States.

The second of these is the fact that the United States has become a world power. This has been the result of a number of causes, the most important of which are the discovery of gold in California, the discovery of oil in Texas, and the discovery of coal in the West. These discoveries have led to a rapid increase in the population of the country, and have also led to a rapid increase in the production of goods and services. This has led to a rapid increase in the standard of living of the people, and has also led to a rapid increase in the power of the United States. The United States has become a world power because of its size, its resources, and its technology. It has the largest population in the world, and it has the largest economy. It has the most advanced technology in the world, and it has the most powerful military. This has led to a rapid increase in the power of the United States, and has also led to a rapid increase in the standard of living of the people.

The third of these is the fact that the United States has become a world leader in many fields. This has been the result of a number of causes, the most important of which are the discovery of gold in California, the discovery of oil in Texas, and the discovery of coal in the West. These discoveries have led to a rapid increase in the population of the country, and have also led to a rapid increase in the production of goods and services. This has led to a rapid increase in the standard of living of the people, and has also led to a rapid increase in the power of the United States. The United States has become a world leader in many fields because of its size, its resources, and its technology. It has the largest population in the world, and it has the largest economy. It has the most advanced technology in the world, and it has the most powerful military. This has led to a rapid increase in the power of the United States, and has also led to a rapid increase in the standard of living of the people.

“ ‘ It must have been worth the toil, to meet with such a glorious view.’

“ ‘ If being the best part of a mile in the air, and having men’s farms and houses at your feet, with rivers looking like ribands, and mountains bigger than the vision seeming to be haystacks of green grass under you gives any satisfaction to a man, I can recommend the spot.’ ”

CHAPTER XIX.

FROM THE BURNING OF KINGSTON, 1777, TO THE CONCLUSION OF
THE WAR, 1783.

LEAVING the sufferers at Kingston for a time, presumably erecting temporary protections for themselves and their families, the attention of the reader will be called to some movements and operations of the military.

After the burning of Kingston, and as soon as Governor Clinton's army arrived, he concentrated his forces at Hurley, and his plan and intentions are best developed by the extracts from letters which follow.

On the 17th of October, 1777, he wrote to General Gates as follows: "Yesterday afternoon about four O'clock, the enemy took possession of and burned the town of Kingston. For want of a proper number of troops no effectual resistance could be made. I have now the body of men under my command which marched from New Windsor to my assistance, and shall immediately proceed to the ruins of Kingston, which the enemy have abandoned. I have sent off a party of Light Horse to reconnoitre, and shall act in such manner as the motions of the enemy may direct."

The following is appended to the letter as a postscript: "A prisoner, who is by no means intelligent, says that the enemy are two thousand strong commanded by Gen Vaughan."

On the 18th he wrote from Hurley to General Putnam as follows: "I am this moment favored with yours of this morning. There is nothing new happened in this quarter since I wrote you yesterday. The enemy is 8 or 10 miles above this burning away. But as there are no capital settlements there, on this side the river and the situation of the country such, as with my present force I cannot advance opposite to them with safety to my artillery, I mean at present to continue where I now am in front of the most valuable settlements and where the stores and effects from Kingston are removed. I imagine the enemy will not proceed much higher up the river, and that on their return, they will attempt to lay waste the places they have passed going up, after our troops are drawn from them."

On the 21st of October Governor Clinton wrote to General Gates,

describing the situation so fully that although quite lengthy, it is inserted entire.

“HURLEY 2 MILES AND A HALF FROM KINGSTON Oct 21 1777

“DEAR SIR

“I have repeatedly done myself the Honor to inform you of my situation, and think it my duty again to do so, that if any of those consequences should happen, which may now be easily foreseen, the blame if any may not lie at my door.

“When I undertook at the request of Gen Putnam, to put myself at the head of a body of men to protect the western shores of Hudson River, and to throw myself between the enemy and your army, should they proceed up the river, I represented to him in strong terms the situation of this part of the country, thinly inhabited, and the interior part unsettled, and separated from all assistance by a chain of mountains. In consequence of which representation, he agreed to let me have 3000 men, if the Eastern Militia should come in as he expected they would, of which number however he hath not sent four hundred. I then clearly saw that it would be impossible for me, to protect the country, unless I could be reinforced from the Northern Army, which from your letter I had reason to expect; I wrote also to Gen Dickinson of New Jersey upon the same subject, and I am informed that he, notwithstanding the exposed situation of his own State, has ordered six hundred men to my brother's assistance at New Windsor. Kingston hath been destroyed merely because I have been so deceived in my expectations of assistance, that it was impossible to take measures for its security.

“I am now, sir, at the head of little more than one thousand men, to cover the most valuable part of the county of Ulster.

“The enemy have lain still yesterday, and the day before, with a strong southerly wind, from whence it is evident, that a knowledge of Burgoyne's fate hath changed their intentions against Albany. If they land in force, I must either retreat, or sacrifice my few men and lose seven very valuable pieces of field artillery. If I retreat, this whole country will be ravaged and destroyed, and that at a season of the year when the Inhabitants (who are warmly attached to the American cause) will want time to provide cover for their families against the inclemencies of the ensuing winter.

“While we act merely on the defensive, two thousand men on the river will find full employment for twelve or fifteen. But if four thousand are left to cover Albany, two thousand here, and two thousand on the other side of the river, it will be by no means impracticable, to recover the passes in the Highlands, in which case the greater part of the army, now along the banks of the river,

may be brought to act offensively against the enemy and perhaps render the present campaign decisive in our favor.

"Col. Malcolm, who is the bearer of this letter, will do himself the honor of stating and explaining to you my ideas upon this subject; and you will do me a particular favor, if in answer to this, you will inform me what I am to expect, and what is expected from me.

"I am Dr Genl with particular esteem

"Your most obt servant

"GEO CLINTON

"*To the Honbl Maj Gen Gates, Albany.*"

If General Vaughan had in truth intended to proceed up the river to Albany, the plan was abandoned upon receipt of the confirmatory news of Burgoyne's surrender. He then, after having partially satiated the cruelty of his nature by burning and destroying what residences and private property he could reach, proceeded down the river on the 23d of October, and after anchoring over night opposite Kingston Point, joined the British forces in the Highlands the evening of the 24th.

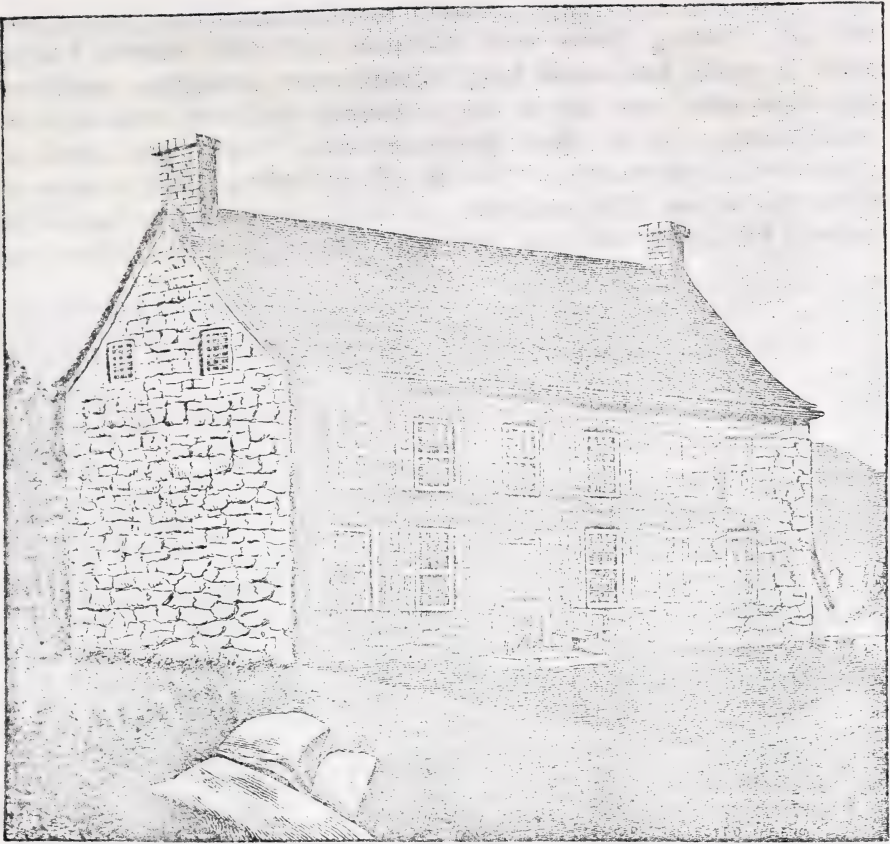
After the enemy had thus returned from their marauding expedition the troops were withdrawn from this section and proceeded to New Windsor.

The convicted spy, Taylor, was executed by order of the governor at Hurley, in the presence of his troops, on the 18th of October.

The Council of Safety, after the burning of Kingston, convened at the house of Andrew Oliver, in Marbletown. The president, Pierre Van Cortlandt, and ten members were in attendance.

After attending to some business in reference to the discharge of some prisoners, some under parole and others in confinement, they passed the following preamble and resolution:

"Whereas the late destruction of the town of Kingston, and a vast number of dwelling houses, improvements, grain, and fodder, on each side of Hudson's river, by a cruel, inhuman, and merciless enemy, has deprived many persons and families, the good subjects of this State, of shelter and subsistence for themselves and their cattle, Calamities which by the blessing of God on the fruits of this land, those, who have not shared in so uncommon a misfortune, are enabled in a great measure to relieve, Resolved therefore that it be and it is hereby most earnestly recommended to the several and respective general and district committees of the Counties of Ulster, Dutchess, Orange and Westchester to make or cause to be made a proper, and proportionate distribution of the aforesaid distressed persons and families and their cattle, to the



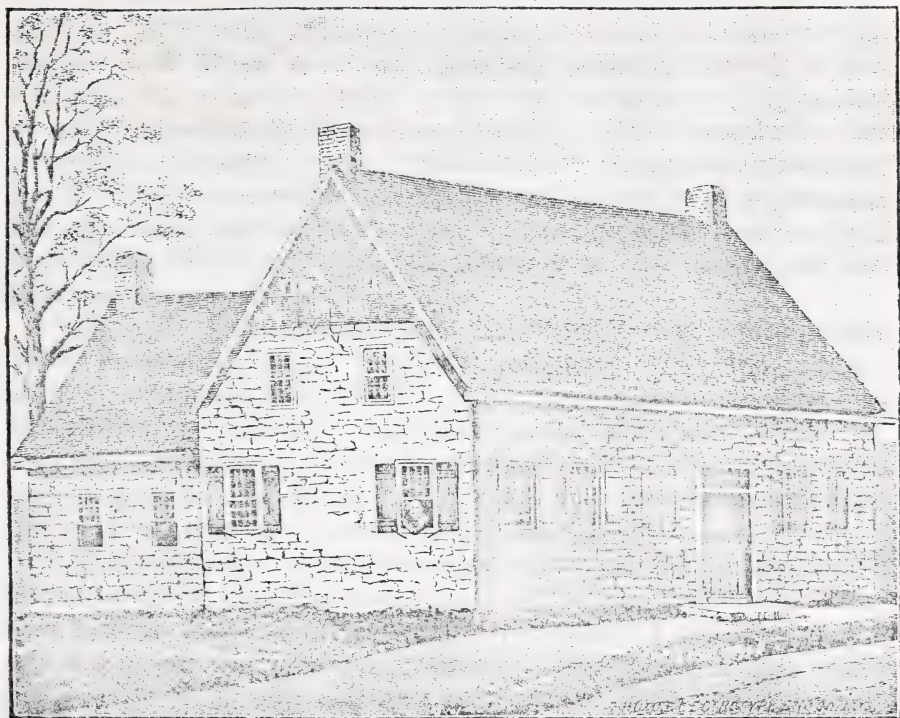
OLIVER HOUSE, AT MARBLETOWN.

end that they may all be provided for, as the circumstances of the country will permit ; and it is hereby most strenuously urged on all those, who have not shared with them in their afflictions, to receive the aforesaid persons, families and cattle, and furnish them with shelter and subsistence at a moderate price.”

The Council of Safety continued in session at Marbletown for a time, when they adjourned to Hurley, Ulster County. They held regular sessions at Hurley until the 17th of December, when they adjourned to Poughkeepsie, where they continued until the 7th of January, 1778, when the Provincial Convention, consisting of the members of the Senate and Assembly of the State, commenced their sessions at Poughkeepsie in joint convention.

The citizens of Kingston, after the burning of their homes, together with their outbuildings, in which were stored the gatherings of their harvest and their other crops, were, of course, put to very great straits in regard to all the comforts of life. Without a shelter, except such as might be afforded temporarily through the

compassion and hospitality of friends, many built huts and temporary abodes with the materials they could gather. As the buildings originally were principally of stone, and many of them with kitchen additions projecting out in the rear, some were able to finish that part off with temporary roofs, so as to make them, to some extent, comfortable for the winter, others made temporary additions or lean-tos against the standing walls, and a few made temporary covers or huts in the best way they could for shelter,



HOUSE AT HURLEY WHERE COUNCIL OF SAFETY MET.

making preparations for the restoration of their buildings the following spring and summer. Judging from the old ruins and old neglected cellars, which could be seen in different parts of the village when the writer was a youth, many buildings after the fire were entirely abandoned and never rebuilt.

The winter was employed by those who were able to do so in preparing timber for permanent reconstruction the ensuing year. They had much trouble in procuring boards and necessary sawed material by reason of their scarcity, and that explains a portion of Mr. Livingston's letter, which will soon be referred to.

The committee of Kingston, in order to obtain some relief for

the inhabitants, on the 9th day of February, 1778, addressed a communication to the governor as follows :

“ To his Excellency George Clinton Esq Governor and Commander in Chief of the State of New York

“ The humble address of the Committee of Safety and Observation of the town of Kingston shews—

“ That in the dispute raised between America and the King of Great Britain touching and concerning taxation, America held that such taxation was unjust and illegal, and unwarranted by the Constitution of Britain, and soon entered upon and into measures to prevent such illegal taxation. Kingston unitedly joined in and seconded the measures taken to prevent the expected oppression by early embarking in the cause of liberty. Their persevering and continued exertions in support thereof have undoubtedly incurred the bitterest resentment of the enemy, and to vent such resentment the expedition up the North river was determined upon and the destruction of Kingston thereby effected to the great loss and damage of the inhabitants.

“ Many of the sufferers would fain build who are discouraged by the enormous prices of materials and labor. They have always supported the cause with proper spirit, have always submitted to the present government, cheerfully turned out their number of men on all detachments and those ordered to be raised to re-enforce the army, and always acted with spirit and resolution whatever might be the situation circumstances and difficulties.

“ The committee therefore conceive it to be their indispensable duty to address your Excellency in behalf of the sufferers of Kingston and ask that your Excellency will be pleased to interest yourself in devising means whereby the poor sufferers may obtain relief. Their spirit to rebuild the town is good, but their abilities weak. Assistance for that purpose would be exceedingly agreeable and greatly revive the drooping spirits of many of the poor sufferers.

“ The Committee may it please your Excellency conclude by praying that your Excellency will use all your influence and interest to obtain relief for the poor sufferers of Kingston

“ By order of the Committee

“ ANDRIES DE WITT JUNR *Ch'n*”

To which petition the governor replied as follows :

“ POUGHKEEPSIE 17th Feb'y 1778

“ Andries De Witt Jun Ch'n

“ SIR I have received the address of the Committee of Kingston dated the 9th instant respecting the distresses of the inhabitants of Kingston and the aid required to enable them to rebuild the

town. You may rest assured, gentlemen, that whatever may be in my power to render them shall not be withheld but most cheerfully afforded. I have already suggested to sundry members of the Legislature the propriety of rebuilding the Court house and gaol at public expense and have reason to hope it will be done. I have likewise mentioned the propriety of exempting such number of artificers as shall be necessary from military drafts and duty, providing they agree to work at rebuilding the town for reasonable wages, which likewise I hope I shall be enabled to do.

* * * * *

“I am with due respect

“Your most obed’t serv’t

“GEO. CLINTON”

Subsequently orders were issued in military matters on the 30th of May, and again on the 23d of July, 1778, exempting from service in the militia, or upon drafts for the time being, the two companies of militia of the town of Kingston, and such persons as were actually employed in rebuilding the town.

During the season some were fortunate enough to get their houses finished, others completed only a section for habitation, some finished off their rear kitchens, leaving the main building untouched, and a few abandoned their ruins to their fate.

The first meeting of which we have any record after the fire was the meeting for the annual election of trustees and other officers, held on the first Tuesday of March, 1778, only a few months after the fire, at the house of Mr. Tobias Van Steenberg, Jr. This is evidence that that house was then standing. The meetings were continued there until the 2d day of October.

On that day an order was made to have the lead which was stored in Mr. Low’s barn run into bullets.

This is looked upon as circumstantial evidence that those two buildings were not, in fact, burned.

As previously stated, for the alleviation of their distress, the citizens of Kingston received considerable assistance from abroad. The letter of Robert R. Livingston, the Chancellor, referred to above, was dated March 1st, 1778, addressed to the trustees of Kingston, and was as follows :

“GENT

“The inconvenience I daily experience from the destruction of my house, and the ravages of the enemy, serve only to increase my sympathy with the inhabitants of Kingston, and animate my desire, in proportion as they lessen my power, to contribute to their relief as liberally as I wish. My inattention to my private

affairs for three years past, and the disaffection of my tenants, who have during this controversy very generally withheld their rents, put it out of my power to contribute, what might perhaps be of more immediate use to my distressed friends at Kingston. Yet, I flatter myself, that my present proposal may meet with their approbation, and be attended with permanent advantage, and in this view I am induced to make it. I mean a grant of 5000 acres of land, in any part of Hardenbergh's patent, that falls to my share—which I promise to make to the Trustees for the use of the Inhabitants thereof under the following restrictions. 1st to be taken in a regular square, 2nd not to be located in Woodstock or Shandaken, nor at any other place, on which a settlement has been made,—and that the location be made within three months from the date hereof, and a survey returned in order to perfect the grant. This land the Trustees will dispose of, in such way as will be most advantageous to the suffering inhabitants of Kingston.

“As I have been informed, that many of them have been disappointed in not being able to procure boards, I have prevailed upon my mother, to suffer Mr Saxe to dispose of all but her third, which she reserves for her own use. I shall be happy if this, or anything else in my power can in the least contribute to the ease or convenience of those whose attention to me early in life entitles them to my friendship, and who are more endeared, by the generous cause in which they suffer

“I am Gentlm with great regard

“Your most obedt Hum Servt

“ROBT R LIVINGSTON”

The preceding letter of Mr. Livingston was read at the meeting of the trustees of Kingston held at the house of Tobias Van Steenbergh, Jr., on Friday, the 27th day of March, 1778, and it was thereupon “Ordered that Mr Cockburn be requested to attend this Board, in order to enable the Trustees to make the location of the lands contained in the above grant.”

Mr. Cockburn attended with a map of the Hardenbergh Patent, when it was resolved that the location of the said lands be made either on the Schoharie Kill, or between the Packatakan branch and the Delaware or Fishkill, in Lots Nos. 39 and 40, or in such other place as a committee to be appointed for that purpose shall judge most valuable in quality and situation.

Mr. Henry Jansen and Mr. Philip Houghteling, two of the trustees, were appointed a committee to view and locate the lands to be donated by Mr. Chancellor Livingston, and employ Mr. Cockburn to survey the same.

At a meeting of the trustees held on the 12th day of February,

1779, the speaker stated that the chancellor had requested that the five thousand acres to be donated should be located as early as practicable. The trustees at once ordered that Mr. Cockburn be requested to attend with his map in order to make the location. Accordingly, at the next meeting, on the 15th day of April, 1779, Mr. Cockburn attended with a map of the Great Patent, and after full consultation with Mr. Cockburn, Peter Dumont, Jr., and Peter Hynpagh, they located the tract at a place called the Plattekill, near Packatakan, in Great Lots Nos. 39 and 40. And Mr. Tappen was designated to draw the deed and wait on his honor the chancellor therewith for execution.

At a meeting of the trustees on the 18th day of October, 1782, a deed was received, duly executed by the Hon. Robert R. Livingston to the trustees, for five thousand acres of land, as located by them as before stated, as a donation to the suffering inhabitants of Kingston. The deed was at once ordered to be accepted, and a letter of thanks prepared and sent to the said Hon. Robert R. Livingston for his benevolence.

The trustees by resolution directed Mr. Tappen, their clerk, to inquire by letter of Chancellor Livingston what character of sufferers he designed to benefit by his real estate donation. The reply does not appear in the records, but on the 19th day of June, 1786, the trustees by resolution appointed Andries De Witt, Edward Schoonmaker, and Benjamin Low a committee "to make a list and estimate of the persons entitled to and having an interest in the donation of lands made by Chancellor Livingston to the Inhabitants and residents of this town, who are the sufferers in the late conflagration of the said town."

Subsequently, under the direction of the trustees, the tract was divided into fifty-acre lots, and then arranged into ten classes of ten lots each. The allotment of the several classes is set forth in the Appendix, as giving an official statement of the greater part of the heads of families who suffered at the conflagration. It evidently does not include all, as there were more than one hundred sufferers.

Notwithstanding the trials through which the town of Kingston had passed, we find their patriotism and zeal in the cause of their beloved country was neither mitigated nor abated, for at the annual election of trustees held on the first Tuesday of March, 1779, little more than a year after their town had been laid in ashes, the trustees-elect immediately qualified, and at once "Ordered that the Treasurer deliver to Edward Schoonmaker one thousand two hundred pounds to put in the Continental loan office and procure a certificate for the same."

After the surrender of Burgoyne and the burning of Kingston,

Sir Henry Clinton hastily abandoned his marauding expedition and returned to New York, and thus ended the operations of the British regular troops in this vicinity. But Ulster County was not thereby relieved entirely from the horrors of bloody strife. The Indian allies of the British, and the Tory blood-hounds, stirred up by British emissaries, were constantly menacing the border settlements, which required continual watching and action. Although but little humanity and much brutality during that war was exhibited under cover of the British red-coat, still, that was not to be compared with the brutality of the Tories, who, covering themselves with war paint in imitation of the savage warriors, appeared thereby to divest themselves of every vestige of humanity, and to aim at throwing the brutality and heartlessness of the Indian far in the shade. Sometimes a feeling of humanity was aroused, as in the case of Brant, when in one of his raids he found a number of helpless school children in terror, weeping around the corpse of their murdered school-mistress; he dashed his exemption mark of black paint upon the clothing of each one of them, and told them to hold that up when an Indian appeared, and they would not be harmed. Then with a savage war-whoop he rushed into the woods. Many Indians passed, but the children remained uninjured.

Search will be made in vain for a similar tale in reference to any one of the paint-bedaubed Tories. The hatred of their country and of their liberty-loving countrymen appeared to have blunted all the finer feelings of their nature. Tradition gives a tale of a Tory and an Indian in one of these raids. Having entered a house, they found a child sleeping sweetly in a cradle. The infant's smile in its sleep made the Indian draw back and withhold the intended blow with the tomahawk; but the Tory, marking the hesitation of the Indian, stepped forward, and in a single blow clave the skull of the sleeping innocent.

Some of them in the hypocritical guise of friends served as spies for the Indians, to gain knowledge and carry information to their savage friends in order to facilitate deadly raids, and to designate the proposed victims and the most favorable time, so that in the border settlement no man was safe who openly advocated the principles of liberty, and indeed even to disclose them in private. Such were some of the hardships under which the war for independence was prosecuted. The following is given as an example: In 1777, in the vicinity of Pine Bush, in the town of Rochester, near the extreme northern border of the town, three families resided in the neighborhood of each other, respectively named Baker, Miller, and Shurter. Shurter was one day approached and charged with being a Tory; he denied it, and gave strong assurances of at-

tachment to the cause of freedom. Not many days elapsed before the report of firearms was heard in that vicinity, and soon the smoke and flames of several conflagrations were seen ascending heavenward. The neighboring townsmen rushed to the scene to find the houses and outbuildings in flames or in ashes, Shurter lying in one place with his brains dashed out, Miller in another perforated with bullets. Baker was never found or heard of, probably carried away for torture to enliven some of the midnight savage orgies.

Scarcely a year passed during the entire Revolutionary War but the border settlements of Ulster County were visited to a greater or less extent by these savage raids. In the early part of the war they were not conducted under any organized expedition, but were carried on by small predatory bands of Indians, with Tory allies, for marauding and robbing purposes, and to procure scalps for redemption by British heroes. Many sensational stories have been written in reference to those raids, but a few only will be noticed here. None of them actually reached the territory of Kingston, but the assistance of its inhabitants was necessary in furnishing money and troops for protection. Block-houses were built, and houses in suitable localities in the neighborhood of settlements picketed and turned into forts, as places of refuge for the inhabitants in case of danger. Patrol parties were constantly kept out scouring the woods as a protection against surprises, to whom the block-houses and forts afforded necessary shelter. Yet notwithstanding all these precautions the wily savages frequently eluded their vigilance. During the early period of the war, and until the fall of 1777, when the defeat and capture of Burgoyne put an end to the hopes of British victories in that quarter, the British had drawn their Indian allies to their assistance in the northern part of the State and along the northern frontier settlements. But after that, in 1778 and 1779, expeditions under Brant and Johnson were organized for havoc and destruction along the borders of Ulster and Orange.

In the fall of 1778 Brant, with a band of Indians and Tories, appeared on the frontiers of the county of Ulster and carried dismay through the settlements. The inhabitants with their families rushed to the interior, and to the forts, block-houses, and other places of safety. The approach of the savages was heralded by the burning of buildings and the screams of the unfortunates who had found no place of safety.

One of the forts in the valley on the west of the Shawangunk Mountains was called Fort Gumaer. Captain Cuddeback, who was in charge, had only nine men with him besides the women and children who had come there for protection. Feeling that his

force was not sufficient to resist an attack by the savages, he resorted to a ruse for a display of strength. The fort being on a plateau having a commanding view for a considerable distance all around, he dressed up the women who were with him with hats and coats so as to resemble men, and armed them with guns and sticks. As soon as the Indians appeared in the distance he paraded his whole force in Indian file outside, and in full view of the distant Indians marched from the rear to the front of the fort, and entering the fort, at once closed the barriers and made preparations for defence. The Indians passed them by without attack, simply firing a few shots upon their onward march, without injury to any one, and continuing their depredations and destruction as they proceeded.

The next year, 1779, Brant made another incursion, and during that raid occurred the celebrated battle of Minisink, in which so many of the citizens of Goshen were slaughtered, and to whose memory an appropriate and fine monument adorns the public square in that village.

These raids, together with the horrible massacre in the Wyoming Valley in 1778, exhibited to the commander-in-chief the necessity of summary Indian punishment to break their power for evil and protect the inhabitants of the border territory. Accordingly an expedition was organized for that purpose, and the command intrusted to General John Sullivan. The expedition consisted of four brigades, including General James Clinton's brigade, which comprised four New York regiments.

The Second New York Regiment, under command of Colonel Philip Van Cortlandt, was in camp at Wawarsing, and on May 4th struck their tents under orders of march to Wyoming. When about starting the colonel discovered smoke ascending in a southerly direction, and received a messenger with information that the Indians were at a settlement about six miles distant, Fantine Kill, which they were burning and destroying. Colonel Van Cortlandt at once marched to their relief. He found Brant was there with about one hundred and fifty Indians, but on the approach of Colonel Van Cortlandt he with his followers fled to the mountains. In that raid by the Indians the widow of Isaac Bevier and her two sons were killed, also the entire family of Michael Socks, consisting of seven or eight persons.

The Indians had also attacked the house of Jesse Bevier, but the inmates succeeded in defending themselves until relieved by Colonel Van Cortlandt. On the 7th of May the regiment again struck their tents and marched to join the rest of the expedition.

In three weeks' time the expedition broke the strength and completely subdued the tribes of the hostile Indians, so that they sued

for peace and the burial of the hatchet. Predatory bands still loitered round in small numbers, robbing and murdering where they could, even until some time after the close of the Revolutionary struggle. They were not the representatives of any tribe, but virtually outlaws and outcasts, generally aided and assisted by their painted Tory associates.

In 1780 there was an Indian known by the synonym of "Shanks Ben" hovering about the frontier with a few Indian followers and bloodthirsty Tories. He was the terror of the country, and always succeeded in evading pursuit and capture. Negroes he never injured unless by some specific act they aroused his anger, but woe to the white man or woman who came within his power.

In 1780 Johannis Jansen, who was a colonel appointed in the early period of the war in command of a regiment of Ulster County militia, and who had rendered service to his country as such, was at home at his farm residence in Shawangunk. The house was a large stone one, with a wing containing the kitchen, and standing on the north side of the road upon a slight elevation above the flat skirting the Shawangunk Mountains. Early one Monday morning, in the warm season of the year, when he had gone to his barn, he discovered some Indians and a Tory prowling around. He at once, being unarmed, rushed toward the house, and they after him, but did not fire for fear of alarming the neighborhood. When he reached the house he was almost within their grasp. But he succeeded in getting inside of the kitchen and slamming the door shut, but could not fasten it. He held it shut against the Indian force by pressing against it with his arms and head. One of the Indians then seized a broad-axe which lay near and gave blow after blow upon the door. The door, with Colonel Jansen's strength, still withstood the battering. The colonel then called upon his wife to get him his gun and pistols. The Indians then left the door, and the colonel stepped into the main building, closed the door behind him, and with his gun and pistols awaited their entrance.

They entered the kitchen, ransacked that and the cellar, but made no attempt to enter the main building. A young lady from New York, who was stopping in the neighborhood with a connection of hers and who was engaged to do some spinning, came to commence her work while the Indians were in possession of the kitchen, and on entering it she was immediately seized and taken prisoner, and they, of course, were deaf to all her entreaties for release.

A young man by the name of Scott was stopping at Mr. Jansen's at the time, and had left the house before the Indians arrived. Mrs. Jansen, who was up-stairs, called loudly to Miss Hardenbergh, who was in another room, and inquired where Scott was. Miss

Hardenbergh replied in a loud voice that he had gone to Mr. Sparks's. The Indians overhearing the question and reply, and knowing that Sparks was a near neighbor, suspected that he had gone for assistance. They at once gathered their booty, drove some of the negroes before them, and dragging the lady captive with them escaped to the mountain.

The attacking party consisted of "Shanks Ben," three other Indians, and a Tory painted in Indian style.

On their retreat, after putting an end to the cries and screams of their lady captive with the tomahawk, they proceeded up the mountain, and when near the summit saw a party consisting of an old man by the name of Mentz, his son and daughter. They succeeded in capturing and murdering the old man and his daughter, but the son escaped by jumping down a precipice. With a sprained ankle and much pain he reached Colonel Jansen's, where he found a number of the neighbors assembled. They at once started up the mountain, and found the murdered victims on the mountain-top; but the Tory and his Indian allies escaped their vengeance.

During the Revolutionary struggle Captain Jeremiah Snyder with his family resided near the Kaatsban Church, in the northerly part of the then town of Kingston. Some time in the year 1779 he, with his son Elias and three others, were out upon a scouting party ransacking the neighborhood in quest of Tories, and to ascertain whether any enemies were prowling around. In the course of their wandering Captain Snyder and Anthony Van Schaack became separated from the rest of the party. They moved along very cautiously through the forest, but for some time saw no living creature. At length passing under the brow of a cliff, they were suddenly startled by the discharge of musketry, and five bullets penetrated the earth near the person of the captain. They looked up and saw the enemy on the top of the rock, who ordered them to lay down their arms; but as their muskets were discharged, they preferred the chances of escape. They ran for their lives, and both escaped unhurt, although in all thirteen deliberate shots were fired at them.

The next year, 1780, the Indian, "Shanks Ben," who figured in the attack upon Colonel Jansen as before related, was with a number of his Indian and Tory followers on a marauding expedition through the mountains. On the 6th of May they came suddenly upon Captain Snyder and his son Elias when they were working in a field near the homestead. Snyder and his son at once started on a run to escape, but they soon found their escape cut off by the enemy appearing in every direction and surrendered. Captain Snyder surrendered to John Runnip, one of the pursuing party, at which the flanking party were very wroth, thinking they were

entitled to his capture. A rule existed among the Indians that the one who first laid hands on a prisoner or obtained his scalp should be entitled to the reward from the British Government. A dispute as to the right was generally terminated by the death of the prisoner. The leader of the flanking party, being thus disappointed, advanced in a threatening attitude and struck his tomahawk at the head of the captain, but fortunately it glanced off and made only a deep cut near the ear. Runnip interfered, and eventually saved the captain's life.

After the capture they all proceeded to the house, which they found deserted, the family having sought shelter and a hiding-place in the woods. They made a general sack of the premises. The buildings were then fired, and the marauding party with their plunder set out for the mountains, carrying the captain and Elias away with them as prisoners. This occurred within four or five hundred yards of the residence of a Tory, who saw what he deemed sport, and kept out of hearing of any cry for help. The Indians and Tories proceeded with their captives and booty, crossing the Cauterskill where Palenville now stands. They passed to the south of Pine Orchard between two lakes, and thence to the east branch of the Schoharie Kill, which they crossed, and there bivouacked for the night.

The next morning the Tories and Indians separated, the former taking the Continental money and guns, of which they had robbed the captain, while the Indians proceeded with the captives and the rest of the booty on their journey for Niagara, under the leadership of Runnip, who assumed the command. On the 9th of May they ascended a lofty peak of the mountains where the snow, compact and hard, still lay four feet deep; toward sunset they reached the east branch of the Delaware River.

Two of the Indians then set off for Poghatoghon (Middletown) in quest of potatoes, which the settlers, in their haste to abandon the country the fall previous, had left in the ground, and which were found to be still in a good state of preservation. Four other Indians proceeded to fell an elm-tree for a bark canoe, and two others were left in charge of the captives.

An Indian bark canoe was soon built. The process was as follows: After the elm was felled the bark was ripped up to the length of the proposed canoe. The Indians then removed it with the utmost care from the trunk to prevent its bursting, after which they chipped off the rough outside so as to make it pliable, and bent it over, the inside out, with stays of green withes fastened to the bottom and sides in the manner of ribs to preserve the shape. A spot on each side near one end was pared away so as to double up, and this being done, it assumed the form of a bow with a sharp

point. The stern was constructed in the same way. To prevent leakage at the doublings and knot-holes they pounded slippery elm bark into a jelly and calked them. After constructing their canoe in this way, and making their paddles by splitting a small white ash-tree, the eight Indians and their prisoners embarked therein the next day, Wednesday, and drifted down the east branch of the Delaware to Shehawcon (now Hancock), at the junction of the two branches of the Delaware. At this place they abandoned their canoe and continued their journey westward on foot. After marching a few miles, Runnip, one of the Indians, was seized with a violent attack of the fever and ague, which detained them until the next morning. At noon on Saturday they struck the Susquehanna about sixty miles above Tioga Point. Here one of the Indians killed a rattlesnake and brought it to Runnip. "He skinned it, cleaned it, chopped it up in small pieces, made a soup of it, drank the soup and ate the flesh--*and was a well man.*"

Here they constructed another bark canoe and floated down the current to Tioga Point. There they left the canoe and marched along the banks of the Chemung River. They passed the breast-work which the Indians had thrown up to resist the invasion of General Sullivan, and between that and the Genesee Flats Runnip pointed out two mounds which were alongside the path, and which were the graves of a scouting party of thirty-six men belonging to Sullivan's army which had been intercepted and killed by the Indians. At the Genesee Flats they met John Young and Frederick Rowe, two Tories from Saugerties, on their way to the frontier in company with Indians. Young had lived a number of years within a mile of Captain Snyder's.

The Indians again resumed the journey with their prisoners, and finally delivered them over to the British at Fort Niagara. After spending some time in captivity, first at Niagara, then at Montreal, and afterward on an island in the St. Lawrence, they made their escape and reached home shortly before the close of the war.

The five Continental regiments which were raised in the State of New York in the early part of the war made a record which should be appropriately noticed. In them were officers and troops from Kingston, as well as other portions of Ulster County.

The first, third, and fourth of the regiments were at Saratoga under Gates in 1777, and a portion of them at the forts in the Highlands under James Clinton. In July, 1778, the five regiments were brigaded under General James Clinton. In 1779 the third regiment, under General Clinton, formed a part of the expedition against the Six Nations. They were consolidated in two regiments on the 1st of January, 1781.

Of those regiments Mr. Ruttenber, in an address before the Historical Society at Newburgh, said: "In their ranks were those who had borne the banner Excelsior from Quebec to Yorktown. Returning from the latter they were conspicuous in the entertainment of our French allies at Peekskill. As a part of the right wing (Gen Gates) 2nd Division Gen St Clair, First Brigade Col Cortlandt, they took up quarters in the New Windsor encampment in November 1782. They had long been and continued to be the pride of the State—the pride of the Army—the pride of Baron Steuben—the pride of Washington, who in 1782 wrote thus, 'The commander in chief cannot conceal the pleasure he receives from finding the two regiments of New York in the best order possible, by the report of the Inspector General, which also concurs with his own observation.'"

There does not appear to be any specific record of what services were rendered in the war by the citizens of the town of Kingston after the destruction of their village, and after the scene of the war was removed from their immediate locality; still, they were not exempt from the trials of the conflict, nor from impending and apprehended dangers.

At a meeting of the trustees held on the 12th day of January, 1781, the following resolution was passed and adopted:

On motion of Mr. De Witt, seconded by Mr. Tappen, after reciting "That as the frontier parts of this county are at present without any troops, and no prospect to have them supplied by men, before the next campaign, or even then, and consequently the enemy may make such inroads into the interior of the country as they may see cause

"Therefore Resolved, that a petition be presented to the Hon Legislature now convened at the city of Albany, praying for a sufficient number of troops to defend the frontier parts of this county."

At the next ensuing meeting of the trustees held on the 19th day of January, 1781, a petition to the Legislature, which had been prepared by Mr. Tappen under the direction of the preceding order, was presented, adopted, and signed by the trustees. As the petition recites at considerable length the warlike services they had been called upon to perform since the conflagration it is inserted entire, as follows:

"To the Honorable the Senate and Assembly of the State of New York in Legislature convened

"The Petition of the Trustees of the Freeholders and Commonalty of the town of Kingston in Ulster County for themselves and the Inhabitants of the said town Humbly Sheweth

“That your Petitioners, inhabitants residing in and near the Western frontier part of this County, have during the course of this unhappy war, by the frequent incursions of the Enemy, been extremely harassed and many actually reduced to great want and poverty

“That your petitioners, during the course of this war, have clearly furnished their quota of men and supplies required of them, as well for the service of the United Army, as for this State in particular, that exclusive of this service they have by draft out of the militia in rotation kept up a guard for a length of time for the defence of the frontiers.

“That to ease the militia from their monthly classes, in the course of the last campaign when by an act of the Legislature they were required to raise levies to re-enforce the army of the United States, they by the advice of his Ex the Governor of this State, at great expense raised one third more of the number of men than was required of them for the purpose of protecting their frontiers ; by these exertions and by the aid of divine Providence, they partly repelled, and partly escaped the cruelties of a barbarous enemy,

“Permit your Petitioners to add, that though willing to support the cause of their injured country, in which they have so early embarked, yet if unassisted, find themselves unable to withstand the shock of another campaign, which they have reason to apprehend may be levelled at this and the adjacent towns of this county, having already completed the ruin and devastation of a great part of the Western frontiers of this State. Your petitioners naturally conclude themselves the next victims of their rage. And whether the fertility of their soil, and richness of their crops is considered, or whether their steady and distinguished opposition to the Engines of Tyranny is remembered, they equally appear additional motives of revenge to an implacable foe. Satisfied that the Hon Legislature will be equally solicitous for their preservation and Safety

“The prayer of your Petitioners thereof is, that a sufficient number of troops may be provided for the defence of the Frontier parts of this county—and your Petitioners as in duty bound will ever pray” etc.

On the 12th of March, 1781, the trustees, deeming it advisable to act for their own protection and not depend entirely upon outside assistance, ordered that four men be employed to range the woods in order to discover whether any of their enemies were on the frontiers. The route to be covered by the scouts was to be the border line extending from the Hurley bounds to the bounds of Albany at the expense of the trustees.

At the same meeting it was “ordered that Mr. Benjamin Low run the lead he has in his possession into bars, and sell the same to all

persons who are within the township and are well attached to the liberties of their country ; but not exceeding three pounds to one person, at sixpence per pound."

The trustees then also directed Captain Van Buren to cause the cannon and field-pieces belonging to the town to be put in good order at the expense of the trustees. Before the adjournment the trustees made an arrangement with Peter Hynpagh and Isaac Dumont to range the west half of the route at six shillings a day in specie or grain, the trustees to find provisions.

The inhabitants of the town, fearful of attacks from Indians and Tories, were anxious to prepare for defence against them. There were so many emissaries of Great Britain still around that they felt at all times unsafe. Accordingly it appears that at a meeting of the trustees held on the 3d day of April, 1781, a committee of the inhabitants of the town waited upon the trustees, to inform them "that they were about devising ways and means to fortify the town against the common enemy, and that for that purpose it would require a quantity of timber for stockades, and they were informed Mr. Jacobus Van Gaasbeek would sell a parcel of pine-trees for that purpose." The trustees thereupon resolved to pay Mr. Van Gaasbeek the sum adjudged to be the value of the trees, not exceeding three hundred in number.

On the 16th of April the trustees sent Mr. Abraham Low to a Mr. Winers for one hundred and fifty or two hundred-weight of gunpowder at the expense of the trustees.

On the 4th of June the trustees appointed Messrs. Elmendorf, De Witt, and Van Buren a committee to consult with Colonel Johannis Snyder in respect to the defence of the town.

It will thus be perceived that the citizens were kept continually on the *qui vive* for protection against their savage enemies of the red and paint-bedaubed species.

The battles of the war between the hostile armies subsequent to the capture of Burgoyne occurred in other portions of the confederacy, but Ulster County, including Kingston, throughout the whole period, and until the last shot was fired and peace proclaimed, furnished their full quota of men and materials for the support and defence of their country.

The capture of Burgoyne, speedily followed by the acknowledgment of the independence of the United States by France, and the formation of an alliance between the two countries on the 6th of February, 1778, dissipated every cloud of doubt in regard to the ultimate result of the war. The fleet and armies of France were soon battling side by side with ours for the triumph of the right. It was not long thereafter that, decisive victories perching upon the allied banners, England was forced to give up the contest.

On the 16th of November, 1782, Kingston was honored by a visit from General Washington, on his way, by a circuitous route, from New Jersey to West Point. After passing the night of the 15th with his companion-in-arms, Colonel Cornelius Wynkoop, at his homestead at Stone Ridge, which is still standing unaltered, and was for many years the residence of John Lounsbury, he proceeded on his way to Kingston. At Hurley he was greeted by an enthusi-



COLONEL WYNKOOP'S HOUSE.

astic crowd, and the following address of welcome was delivered to him by President Ten Eyck :

" The humble address of the Trustees of the Freeholders and Inhabitants of the town of Hurley

" To his Excellency George Washington General and Commander in Chief of the American Army etc

" SIR We, the Trustees of the Freeholders and Inhabitants of the town of Hurley, beg leave to approach your Excellency with hearts deeply sensible of the signal services you have rendered our common country, by a conduct, resolution, and courage so happily combined, and so dignified by the noblest virtues, that the latest posterity shall revere you as the protector of the country. Silence must muse our gratitude (for the power of language cannot display it) to the Supreme Being who has been graciously pleased to ap-

point a person of your Excellency's virtue and ability, to be his happy instrument of rescuing these United States from the many dangers with which they have been threatened by a cruel and powerful enemy. We cannot refrain from joining in the universal applause that awaits such distinguished merit.

"May your Excellency enjoy the greatest possible blessings that heaven can bestow ; may you always be crowned with success ;



HURLEY HOUSE.

may your illustrious exploits and undertakings for the public good be productive of a speedy, permanent and honorable peace ; and after living a blessing to mankind, be rewarded with endless happiness in the mansions of the righteous

"By order of the Trustees

"MATTHEW TEN EYCK *Speaker*

"HURLEY NOV 1782"

His Excellency, General Washington, replied, as follows :

"GENTLEMEN

"I return you my thanks for this very flattering mark of your esteem, and exceedingly regret that the duties of my station will

permit me to make but so short a stay among a people, from whom I have received the warmest proofs of regard, and for whose character I entertain the highest respect.

"It is peculiarly pleasing to me to find that my conduct has merited the approbation of my fellow citizens. If my endeavors shall have contributed to the freedom and independence of my country, that consolation will more than amply repay all my labour.

"GEO WASHINGTON

"HURLEY Nov 1782

"*To the Trustees of the Freeholders and Inhabitants of the town of Hurley*"

The general with his staff then proceeded to Kingston. On his arrival there he was met by the trustees of Kingston and a large body of citizens, preceded by Henry J. Sleght, the speaker or presiding officer of the trustees, who in behalf of the trustees presented to him the following address :

"We the Trustees of the Freeholders and Commonalty of the town of Kingston, for ourselves and in behalf of those we represent, beg leave, with the most unfeigned love and esteem, to congratulate your Excellency on your arrival in this place

"To a People, whose principles of Liberty were early decided, and whose actions have been correspondent, the appearance of a character among them, who by his wisdom has directed, and by his fortitude has led the armies of America to victory and success, affords a joy more sensibly felt than is in the power of language to express. While Sir we take a retrospect of the past campaigns, in every vicissitude of the war we observe your Excellency exhibit the most steady patriotism, the most undaunted courage; and while as a consequence of this the ministry are sunk into negotiation and their armies into inaction, we trust, it is our prayer, that the same benign Providence which has hitherto guided will enable you speedily to terminate the present contest in the unmolested Glory and Freedom of this extended Empire. When that day shall arrive, and the welfare of your country prevail, may you then exchange the fatigues of the camp for the sweets of domestic retirement, may your well earned fame run parallel with time and your felicity last through eternity."

To which his Excellency made the following reply :

"Your polite and friendly reception of me proves your sincerity

"While I view with indignation the marks of a wanton and cruel enemy, I perceive with the highest satisfaction that the heavy

calamity which befell this flourishing settlement, seems but to have added to the patriotic spirit of its inhabitants ; and that a new town is fast rising out of the ashes of the old

“That you and your worthy constituents may long enjoy that freedom for which you have so nobly contended is the sincere wish of

“Gentlemen—Your most obedient humble servant

“GEO WASHINGTON”

The Consistory of the church in Kingston also united with their fellow-citizens in bidding the great hero welcome, and delivered to him the following address :

“SIR—Amidst the general joy which instantly pervaded all ranks of People here on hearing of your Excellency's arrival to this place

“We the Minister Elders and Deacons of the Protestant Reformed Dutch Church in Kingston participated in it, and now beg leave with the greatest respect and esteem to hail your arrival.

“The experience of a number of years past has convinced us, that your wisdom, integrity and fortitude have been adequate to the arduous task your country has imposed upon you ; never have we in the most perilous of times known your Excellency to despond, nor in the most prosperous to slacken in activity, but with the utmost resolution persevere until by the aid of the Almighty you have brought us this year to Independence Freedom and Peace.

“Permit us to add, that the loss of our religious rights was partly involved in that of our civil, and your being instrumental in restoring the one, affords us a happy presage that the Divine Being will prosper your endeavors to promote the other.

“When the sword shall be sheathed and Peace re-established, and whenever it is the Will of Heaven that your Excellency has lived long enough for the purposes of nature, then may you enter triumphantly thro' the Blood of the Lamb into the regions of bliss, there to take possession of that Crown of Glory, the reward of the virtuous and which fadeth not away.”

To which address his Excellency replied, as follows :

“GENTLEMEN—I am happy in receiving this public mark of the esteem of the Minister Elders and Deacons of the Reformed Protestant Dutch Church in Kingston

“Convinced that our religious liberties were as essential as our civil, my endeavors have never been wanting to encourage and promote the one, while I have been contending for the other, and

I am highly flattered by finding that my efforts have met the approbation of so respectable a body.

“In return for your kind concern for my temporal and eternal happiness permit me to assure you that my wishes are reciprocal ; and that you may be enabled to hand down your Religion pure and undefiled to a posterity worthy of their ancestors is the prayer of

“Gentlemen

“Your most obedient servant

“GEO WASHINGTON”

The arrival of the general and his suite was greeted with great rejoicings on the part of the citizens. He put up at the public house of Evert Bogardus, but accompanied by his staff he dined with Judge Dirk Wynkoop, in Green Street. In the evening there was a gathering of ladies in the Bogardus ball-room, which was honored for a short time by the attendance of the general, when the ladies were severally introduced to him. The next morning at an early hour he left the village and continued his journey.

Hostilities ceased in 1782. Soon after the surrender of Lord Cornwallis with his army of seven thousand men, the British ministry entered into negotiations for peace, and a preliminary treaty was signed on the 30th day of November, 1782. But the definitive treaty acknowledging the independence of the United States, was not signed until nearly a year afterward, September 3d, 1783, and New York was not evacuated until the 25th of November following.

Thus terminated British rule in this country, and the triumph of liberty over tyranny and despotism became complete.

The final conclusion of the long and bloody war, during which much suffering had been endured and sacrifices made, followed by a full and absolute recognition of the independence of the United States as a nation, gave rise to rejoicings and jubilations in every section of the country. Kingston was not behind other places in the character and extent of her rejoicings. Its inhabitants had always stood among the firmest and foremost friends of liberty and advocates of the contest for independence. Their ardor had never been cooled or dampened, even by the tremendous sacrifices they had endured ; now it rather enhanced their joy at the glorious termination of the conflict, and they looked upon the result as a compensating reward for all their sufferings.

BY HIS EXCELLENCY
GEORGE WASHINGTON, Esq;
General and Commander in Chief of the Forces of the
United States of America.

THESE are to CERTIFY that the Bearer hereof
Walker Barringer Soldier
in the *Second New York* Regiment, having faithfully
served the United States *Three Years*
and being enlisted for the War only, is
hereby DISCHARGED from the American Army,

GIVEN at HEAD-QUARTERS the

G. Washington

By HIS EXCELLENCY
Command.

Humboldt

REGISTERED in the Books

of the Regiment,

Christ Miller Lt. Adjutant.

THE above *Walker Barringer*
has been honored with the BADGE of MERIT for *Three*
Years faithful Service.

A. B. B. Co.

CHAPTER XX.

RISE AND PROGRESS OF EDUCATIONAL MATTERS IN KINGSTON,
CULMINATING IN THE ESTABLISHMENT OF KINGSTON ACADEMY
—ITS HISTORY.

IN the preceding chapters the general history of Kingston has been brought down to the close of the national struggle for independence, and it is now proposed to revert to early years and trace its educational history.

As has been frequently stated, the great body of the early settlers in this country were driven by religious persecution from their fatherland, and came here to enjoy liberty of conscience and entire religious freedom. Emigrating as they did from the old world usually in companies, they brought their religious teacher with them. He in addition to his religious duties and catechetical instruction was also the instructor of the youth. The worthy burghers had such a man with them at Esopus. A Reformed Dutch Church, as hereinbefore stated, was regularly organized at Esopus, and Dominie Harmanus Blom settled over it in 1661. We have no reason to suppose that the education of the youth was thereby interrupted.

After the organization of the trustees of the freeholders, etc., of the town of Kingston, that corporation interested itself in the cause of education. Its particular doings and appropriations during the early years of its existence we are unable to specify, by reason of the loss of the minutes. Among the earliest minutes extant, and under date of the 26th day of March, 1722, the trustees, by resolution, set apart out of their invested corporate funds bearing interest five hundred pounds, the annual interest of which was to be appropriated toward the maintenance of a Dutch school-master in keeping a school to be FREE to the inhabitants of the corporation. This is without doubt one of the earliest progressive steps toward the free education of the masses.

By the following letter of Charles De Witt it will appear that education in those days received some share of attention in neighboring towns, including improvement in the buildings:

“HURLEY August 1763

“DR SIR

* * * * *

“We have the greatest crops of wheat here, that we have had

for many years past, and the most fruitful year that I can remember ever to have seen every way. I am in hopes the poor laborer will be better able to rub along this year, as wheat, rye, feed, corn etc are vastly cheaper than they have been for a long time. Other things continue pretty much the same. We manage in general as usual, only we have taken a particular turn this year to build schoolhouses,—which at present are more plenty with us than schoolmasters. The upper end of Marbletown at Daniel Cantine's, they have built one after the old fashion, viz A large heap of white oak, black oak and perhaps other sorts of timber piled up to convenient height, and two or three holes cut in for the children and light to pass. This building is not so magnificent, as another built, near father De Witt's, of stone, a shingle roof, two floors, but they tell me the upper floor is not planed very smooth, the joists ugly etc; however two large sashes are made therein, besides another place where the master and his children pass and re-pass . . .

“Now I have yet to tell you that we have built a schoolhouse among the crowd also . . .

“It is 29 and 24 feet in length and width, built of good large limestone, we have a good cedar shingle roof on. One large sash window next the street and another opposite thereto next the garden, another smaller window at one end near the fireplace, for the master to sit at. We intend to have our boards neatly planed and everything finished in the best manner . . . and finally we have a good master to take possession.”

The tenor of this letter shows that attention to educational matters was not a new thing, but that it was something that was improving and advancing.

The trustees of Kingston, however, representing through their annual elections the wishes of the people, were not content with the simple provision for a schoolmaster; they were continually looking forward for improvement in education and seeking the attainment of something better and higher. Thus we find they were soon moving in the direction of the establishment of a classical school of the highest grade, as appears by a letter of which the following is a copy :

“FISHKILL April 19th 1769

“SIR I received your favor of the 28th ult advising that you had received a letter from Mr Justice Livingston acquainting you of my design of opening an academy in Albany or Kingston, provided I met with suitable encouragement in either of those places. I am much obliged to you Sir, for the early opportunity you took to lay my design before some of your Trustees . . .

"I have lately been advised, that a gentleman, from Kingston, has been down, and among other things made it his business to inquire into my character, and the reason he gave was my design of opening an academy, which made me hope they had not wholly laid aside all the thoughts of so laudable an institution—but in hopes of the honor of your further advice

"Remain good sir your most obliged humble serv't

"CHAUNCEY GRAHAM

"*Ch. De Witt Esq.*"

This shows that the important question was then under serious consideration, and agitating the minds of the people. Soon thereafter, however, and in 1773, everything proved ripe for action. In that year, under the administration of Johannis Slegt, Anthony Hoffman, Dirk Wynkoop, Jr., Joseph Gasherie, Wilhelmus Houghteling, Jr., Johannis Du Bois, Ezekiel Masten, Adam Persen, Silvester Salisbury, Johannis Persen, Abraham Van Gaasbeek, and Christopher Tappen, as trustees of the corporation, an important step in advance was taken, as will be seen by the following extract from the minutes of a meeting of the trustees held on the 11th day of October, 1773:

"On motion of Mr Slegt, that in consequence of frequent conversations with regard to the building of a school house, or academy for the education of children in this town, the necessity thereof must be well known, and the public good that may arise from so laudable an undertaking collectively considered, must make it matter of the greatest moment. The members of the corporation having taken the same motion into consideration it was Resolved

"*First* That a house for the convenience of such a school or academy be built purchased or hired as soon as conveniently may be.

"*Second* That two capable persons be provided for the tuition of the scholars, one of whom to teach the Languages and Sciences, and the other the English and Mathematics.

"*Third* That the tutors or masters of the said School shall be called by and remain under the care and direction of the Trustees of the Freeholders and Commonalty of the town of Kingston for the time being.

"*Fourth* That the Honourable William Smith and the Rev Dr John H Livingston be desired to provide the said school with a Latin Master or Tutor, if in their power, and that they be authorized in behalf of said Trustees to agree with such master at the rate of £100 per annum, to be engaged for two years, and that they cause the same to be put in the public prints, and also that the said School shall be opened on the first Monday of May next."

This was the seed that was sown, the germ that was started, which soon grew into a flourishing plant and made Kingston for many years the central point for education in the State. It was the germ from which Kingston Academy sprung and was organized, than which no institution in the State for many years sustained a higher or more enviable reputation. It was the *alma mater* of a large proportion of the distinguished men of New York who flourished in the early part of the nineteenth century.

On the 10th of December, 1773, the trustees appointed a committee to purchase a house and lot for the use of the school. On the 4th of March, 1774, they directed Mr. Tappen to "write to Dr. Livingston to know whether he had procured a Latin master for the school, and also to request him and Mr. Smith to cause an advertisement to be inserted in the public papers that the school would be opened on the first Monday of May then next."

The trustees purchased for the school the house and lot on the southwest corner of John and Crown streets, which is now occupied as a private residence, and secured the services of John Addison as principal of the academical department. On the 9th of May, 1774, they appointed one of their number to procure the services of a tutor in the Latin department. The English department of the school was not opened until the second Monday of May. At a meeting of the trustees held on the 14th of February, 1775, they made arrangements to procure a set of maps for Mr. Addison for use in the school-room, and also additional seats and a table.

The school appears to have met with very great success from the commencement. It undoubtedly was very much needed in the country, and reaped the reward of its early establishment. Mr. Addison, the principal, was a man of nerve, of learning, and of first-class educational talent. The school under him took a very high rank and earned it by its works, and not by boasting. It continued uninterruptedly through the war until the vandal's torch reached the school-room. Then there was necessarily a suspension, but it was only temporary. They had men of determination as well as lovers of learning at the helm in those days.

As a matter of historic interest, a copy of the rate-bill of the English department, with the names of parents and scholars up to the very day of the conflagration, from the 15th of May, 1777, to the 16th of October, 1777, will be found in the Appendix. It can be relied on as an official paper. The copy is complete, the memoranda of studies pursued and arrearages of tuition only omitted. It is regretted that the one for the classical department could not also have been found.

The repair of the school-house and putting it in condition for the use of the school, was proceeded with as soon as practicable

after the destruction of the woodwork therein by the Englishmen's torches. The suspension of the school was of such short duration that at a meeting of the trustees held on the first Tuesday of March, 1778, less than four months from the date of the conflagration, the board being advised of Mr. Addison's need of an assistant, at once appointed a committee to procure one.

The minute-book has the following entry in the proceedings of a meeting of the trustees held on the 2d day of October, 1778, a few days less than one year after the conflagration :

“Mr Addison having informed the Trustees that he would have his pupils ready for examination, by the second Wednesday of this month, it was ordered that the Clerk draw an advertisement and cause it to be published in Mr Holt's paper, setting forth that a public examination, of Mr Addison's students, will be on the 2nd Wednesday of this month at the house of Capt Evert Bogardus, in this town, at 10 O'clock in the morning.”

At a meeting held on the 12th of October, it was “Ordered that Messrs Osterhoudt, Jansen and Elmendorf prepare benches etc at Captain Bogardus for the spectators, at the examination, and that they request Capt Bogardus to have a dinner prepared on Wednesday next for twenty men.”

The examination was held at the appointed time before the trustees and as large an audience of spectators as could be accommodated in the room; and everything passed off with great *éclat* and satisfaction, and was followed by a month's vacation.

On the 18th day of November, 1778, the school was opened with a large attendance of pupils, and on the 8th of December following the trustees entered into an agreement with Mr. Addison to pay him a salary of £214 for the then current year, commencing with the said 18th day of November. They then established the rate of tuition at £8 per annum, and added £14 as a bonus to Mr. Addison's previous year's salary.

On the 12th of February, 1779, the trustees “Ordered that Mr Houghteling be empowered to agree with Mr Peter Van Steenbergh, or some other person, to serve as Tutor in the English School, for a sum not exceeding £180 and also to hire Mr Jacob Turck's house for the accommodation of the said Tutor's family.” And on the 15th day of April, 1779, they “Resolved that the lot belonging to the school house, now in Mr. Addison's possession, be put in good fence, and that the rubbish and dirt about the door be carted away and levelled.” And appointed Mr. Hoffman to superintend the work.

At the same meeting they passed the following preamble and resolution :

“Whereas by the present indeterminate value of the paper cur-

rency, the salaries of the Tutors of the Academy of this place are by no means adequate for their support, Resolved that from and after the ensuing vacation the price of tuition for each student shall be as formerly £5 per annum, to be paid either in specie or produce or in continental money equal to the exchange, as the same shall be when the payment shall become due." And at the request of Mr. Addison, they fixed his salary for the then ensuing year, to commence on that date, at £100 per annum in specie.

On the 3d day of August, 1779, at a meeting of the trustees, Abraham Van Vechten, who in subsequent years for a long time stood highest in the front rank among the leading members of the bar of this State, attended before the trustees and informed them that he had for some time, at Mr. Addison's request, assisted him as an usher, and desired a reasonable compensation for his services. The trustees agreed to allow him a salary of £135 currency per annum, but required him to give three months' notice of his intention to quit the service. This Mr. Van Vechten was the first man who received a license to practice in the Supreme Court under the State Constitution, and for that reason, and for his eminent standing in the profession, was designated as the father of the New York Bar.

The inhabitants of Kingston, it appears, were not content with a successful academy, but desired also to be honored with the location of a university or college within their territory. The following entries appear in the trustees' minutes under the respective dates, as specified :

August 3d, 1779.—"Whereas several deliberations and conversations have heretofore been had, respecting the obtaining a charter to erect and establish a University or College in this town, Resolved that the Trustees will do every thing in their power to encourage and promote so laudable an undertaking." They thereupon also appointed Judge Wynkoop, Mr. Tappen, Mr. Gasherie, and Mr. Addison a committee to consult with his excellency the governor, and the Hon. Robert R. Livingston, respecting the said college or university, and to prepare a petition to the Legislature of this State, at the next session, praying for leave to bring in a bill for that purpose.

January 11th, 1780.—"The Trustees, having at the last session of the Legislature of this State, proffered a petition to that body, for leave to bring in a bill to erect or establish a College or University in this town, and the Assembly of this State having given leave to bring in a bill for that purpose, by their resolve dated October 20. 1779 "Ordered that Derick Wynkoop and Christopher Tappen repair to Albany, in order to consult the Hon Robert Yates and Mr Egbert Benson and such other gentlemen as they shall

think proper, to draft and complete a bill for that purpose, and that the Trustees will reimburse them the expense etc for the completion thereof."

Under these proceedings nothing was accomplished. Subsequent proceedings were taken by and in behalf of the trustees of the academy for the same purpose in the year 1804, which will be set forth in a subsequent part of this chapter.

Mr. Addison continued in charge of the academy until 1784. He was succeeded by John McMillan on the 23d day of November, 1784, under an engagement for one year.

On the 6th day of February, 1785, the trustees determined that



ACADEMY.

it was desirable that the academy should be furnished with a bell, and appointed a committee for that purpose. The committee subsequently, on the 16th of February, reported that they had been to Mr. Nathan Smedes to purchase a bell, that he had declined to take any compensation therefor, and had made a present of the same to the academy. And they further reported that Mr. Smedes had in addition offered to give the trustees as many cedar posts as might be necessary to build a steeple on the academy building to accommodate the bell.

The trustees accepted the gift and made a suitable expression

of thanks to Mr. Smedes for his liberal offer. They at once designated one of their number, Mr. Schoonmaker, to fetch the posts.

In June, 1788, Mr. McMillan resigned as principal, to take effect at the close of the then current term. The trustees at once wrote to Dr. Witherspoon, requesting him to recommend to them for the place "a gentleman whose ability and moral character will add a reputation to the school, and whose assiduity and attention to the progress of his pupils will render it (the academy), as it formerly has been, a general blessing to this part of the Country."

In the course of their communication they expressed their preference for a married man, as he "when happily situated is not so apt to change his situation, as young gentlemen who are generally fond of making experiments." They closed their communication, after setting forth the conveniences, etc., of the academy, by saying that "they think it unnecessary, on the present occasion, to enumerate the qualifications which the gentleman ought to possess as a teacher. You are the proper judge, for the Corporation of Kingston; it will be sufficient for the Rector of their academy to be a gentleman of Dr Witherspoon's recommendation. A man, whose long and unwearied services in promoting the felicity of mankind, will ever be remembered by the virtuous and the wise with gratitude and applause."

On the 24th of October, 1788, the trustees entered into a contract with George Barnes Ewart to take charge of the academy and teach the Greek and Latin languages and the higher English branches for the term of six months.

Mr. Ewart did not appear to give entire satisfaction, as may be judged from the fact that on the 18th of December, 1789, the trustees appointed a committee to consult with Dominie Doll and Mr. Addison to procure an able instructor in the place of Mr. Ewart as soon as possible.

That did not result in any change, and on the 28th day of January, 1791, the trustees resolved "that the corporation become a member of the University of New York."

In the month of March, 1791, the dissatisfaction of the patrons of the academy arose to fever heat, so that on the 4th of March Messrs. Oke Sudam and Samuel Freer presented a petition to the trustees, signed by thirty-six of the patrons of the academy, which alleged that the fathers paid their money, but the children did not learn; that the academy was in a declining state, and urging such measures to be taken as would restore it in the future to a high and flourishing condition. The trustees at once summoned Mr. Ewart before them, and gave him the requisite three months' notice to leave the academy.

Messrs. Gerrit Van Keuren, Tobias Van Buren, and Peter

Marius Groen were appointed a committee to ascertain the sense of the people in regard to what measures the trustees should take to procure a teacher.

The academy was vacated by Mr. Ewart at the close of the term, and it remained closed for nearly a year, owing to the difficulty of securing a satisfactory principal. They were well compensated for the delay, however, as they then secured the services of a most competent and faithful instructor in the person of Timothy Tredwell Smith.

The trustees gave the following notice in the public papers :

“KINGSTON ACADEMY.

“The Trustees of Kingston, in Ulster county, take this method of giving public information that they have again established the Academy in this place under their particular direction and inspection. A gentleman of competent education and abilities has been procured who at present presides over it. The Greek and Latin languages, and in general the various branches of education usual in academies are taught here. The healthy situation of the town, the convenient and cheap boarding that can be procured, it is expected, will encourage parents and guardians to patronize this institution by sending their children and those under their care to it. The Trustees assure the public that from specimens of the proficiency of the scholars already afforded, they have the fullest confidence of giving general satisfaction to all those who may honor them with their attendance.

“KINGSTON, December 1, 1792.”

After the reopening of the academy it again resumed its course of prosperity and celebrity, and on the 21st day of February, 1794, the trustees of Kingston applied to the regents of the University of the State of New York for the incorporation of the institution which had been thus established and nurtured by them. A few days after making such application, and anticipating the favorable action of the regents, the then trustees of Kingston, Peter Marius Groen, Moses Yeomans, Jeremiah Du Bois, Gerrit Van Keuren, Philip Swart, Tobias Meyer, Tjerck C. De Witt, Evert Bogardus, and Samuel Swart, by deed of conveyance, bearing date March 1st, 1794, conveyed to John Addison, George J. L. Doll, and others trustees of the academy in Kingston all that certain messuage, etc. (describing the academy lot at the corner of Crown and John streets in this village), “To have and to hold the said lot of ground with the hereditaments and appurtenances unto the Trustees of the Academy in Kingston and to their lawful successors forever to and for the sole and only use, benefit and purpose of promoting literature in

the said Academy in Kingston, and to and for no other use, benefit and purpose under any pretence whatever."

It appears that the regents of the university made no response to the first application, and therefore the trustees of Kingston renewed their application on the 5th of January, 1795. This time their petition received the favorable action of the regents, and Kingston Academy was duly incorporated by a deed of incorporation, a copy of which is here inserted as a matter of historic interest.

"The Regents of the University of the State of New York to all to whom these presents shall come or may concern, greeting: Whereas the Trustees of the Freeholders and Commonalty of the town of Kingston, in the County of Ulster and State of New York, by two several instruments in writing under their hands and Corporation Seal, bearing date respectively, the 21st day of February, 1794, and the 5th day of January, in the year 1795, after stating among other things that they have had for several years an established academy in the said town for the instruction of youth in the learned languages, and other branches of useful knowledge, and have purchased and appropriated to that use and purpose a lot of ground with a large and commodious building thereon, in the said town, did respectfully make application to us, the said Regents, that the said Academy might be incorporated, and become subject to the visitation of us and our successors; and that John Addison, George J. L. Doll, Petrus Van Vlierden, Moses Yeomans, Peter Marius Groen, Cornelius Jansen, Jeremiah Du Bois, Abraham Van Gaasbeek, Jr., Peter Van Gaasbeek, Coenradt Edmundus Elmen-dorf, Evert Bogardus, Petrus Myndertse, Peter Roggen, Henry Eltinge, James S. Bruyn, Peter Vanderlyn, Petrus Elmendorf, Jr., Samuel Freer, Moses Cantine, James Oliver, Abraham Van Horne, Gerrit De Witt, Joseph Hasbrouck, and Johannis Bruyn, might be the Trustees of said Academy, by the name of The Trustees of Kingston Academy: Now know ye that we, the said Regents, having inquired into the allegations contained in the said instruments in writing, and found the same to be true, and it appearing to us by due proof that the said applicants have contributed more than one half in value of the real and personal property and estate collected or appropriated for the use and benefit of the said Academy, and we conceiving the same calculated for the promotion of Literature, do by these presents, pursuant to the statute in such case made and provided, signify our approbation of the Incorporation of the said John Addison, George J. L. Doll, Petrus Van Vlierden, Moses Yeomans, Peter Marius Groen, Cornelius Jansen, Jeremiah Du Bois, Abraham Van Gaasbeek, Jr., Peter Van Gaasbeek, Coenradt Edmundus Elmendorf, Evert Bogardus,

Petrus Myndertse, Peter Roggen, Henry Eltinge, James S. Bruyn, Peter Vanderlyn, Petrus Elmendorf, Jr., Samuel Freer, Moses Cantine, James Oliver, Abraham Van Horne, Gerrit De Witt, Joseph Hasbrouck, and Johannis Bruyn, the Trustees of the said Academy, so as aforesaid named by the founders thereof, by the name of The Trustees of Kingston Academy, being the name mentioned in and by the said request in writing. In witness whereof we have caused our common seal to be hereunto affixed this third day of February, in the nineteenth year of the independence of the United States, Annoque Domini, one thousand seven hundred and ninety-five. Witness: George Clinton, Esquire, Chancellor of the University.

“By the command of
the Chancellor.

DEWITT CLINTON,
Secretary.



GEO. CLINTON,
Chancellor.”

On the 10th day of June, 1795, the deed of incorporation having been received, the trustees named attended in the Academy Hall and took upon themselves the charge thus committed to them. After hearing an address suitable to the occasion from Mr. John Addison, the senior trustee, who acted as president, they proceeded to the choice of the necessary officers, and Peter Van Gaasbeek was chosen Secretary, and Peter Vanderlyn, Treasurer; the duties of President devolving upon the senior trustee, by the title of “Mr. Senior.”

After which it was “Resolved unanimously that the following plan of education be adopted, and the following Rules and Regulations observed for the government of the Principal Tutor, Usher and Students of this Academy, viz. :

“1st. There shall be taught in this Academy the Greek and Latin languages, Elementary and Practical Geometry, Mathematics, Logic, Moral and Natural Philosophy, Ancient History, Geography, and the History and Government of the United States.

“2nd. The terms of tuition for any one of the above branches of Education shall be at and after the rate of five pounds per annum; one-third of which sum to be paid by the Student to the Treasurer of the Trustees of this Academy on the day of his entrance, and the remaining two-thirds at the expiration of the year, and so in like manner for every year he shall continue therein. Each Student shall in addition to the above annual sum, furnish two loads of fire-wood for the use of the Academy, or pay the current price thereof to the Principal Tutor.

“3d. The hours for teaching shall be, during the Summer Session, from half-past eight in the morning until twelve at noon,

and from two until five o'clock in the afternoon on each day (Saturdays excepted), which portion of the week is deemed necessary for recreation, both of the Teachers and Students; and during the Winter Session, from nine in the morning until twelve at noon, and from half-past one until five o'clock in the afternoon on each day (Saturdays excepted.)

"4th. There shall be two vacations in every year, of three weeks each, to commence on the first Monday of May and October. And on the Friday immediately preceding each vacation a general and public examination of the Students in the presence of the Trustees and such other persons as may choose to attend.

"5th. That every morning the Principal Tutor, Usher, or a Master shall open the exercises of the Academy with prayer.

"6th. That there shall be quarterly visitations of the Academy by the Trustees, or a committee of them, in order to examine into the improvement and progress of the Students, and to propose such alterations and arrangements as may be found necessary and convenient for the good government of the Academy."

It was also at that meeting, after reciting that they had agreed with Mr. Timothy Tredwell Smith, the former preceptor, to continue his charge of the academy. "Resolved that Timothy Tredwell Smith be and he is hereby appointed to take charge of the Academy as Principal Tutor thereof for two years, to commence on the 14th day of May, 1796, and that he be allowed for his services for the first year, to terminate the 14th day of May, 1797, the sum of 170 pounds (\$425), and for the year next thereafter the sum of 185 pounds (\$462,50)."

From the plan thus shadowed forth in the preceding resolutions, it is evident that the trustees started with a determination to maintain the established character of the institution, and conduct therein a school of a high and severe grade. The establishment of semi-annual examinations in the presence of the trustees evinced the watchful care with which they intended to foster and watch the progress of the institution.

These semi-annual examinations were kept up for many years, and were punctually attended by the full board, all the trustees making it a matter of pride and duty to attend, unless prevented by sickness or some other unavoidable cause. The distinguished character of that institution for many succeeding years, and the names of the eminent men enrolled among its alumni, testify to the wisdom of the policy. The semi-annual recurrence of that event was looked forward to with great expectations of delight and pleasure by the citizens of Kingston and surrounding country, both old and young, and weeks preceding the event preparations were made for its fitting celebration. Every house was thrown

The first part of the history of the world is the history of the human race. It is a history of the progress of the human mind, of the growth of human knowledge, of the development of human civilization. It is a history of the human race, of the human mind, of the human knowledge, of the human civilization. It is a history of the human race, of the human mind, of the human knowledge, of the human civilization.

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open for the reception and entertainment of strangers and visitors, who flocked to the village on these occasions, and freely and happily partook of the cordial hospitality of our Dutch ancestry. Upon the morning of the day fixed for the examination, the Board of Trustees convened at a public house which was then situated at the corner of Fair Street and Maiden Lane. They were escorted in procession from that place by the students, preceded by music, and amid the merry ringing of the village bells, proceeded to the Academy Hall, when the examination, rigid and thorough in its character, took place. The examination was followed by a public dinner, of which both students and trustees, as well as distinguished strangers, partook. After dinner, in the spring examinations, the literary exercises of the day were closed by declamation in the Dutch Church, then the only church in the village. In the fall the literary exercises of the examination day were closed by an exhibition in the court-room, at which dialogues, disputations on questions proposed, and speeches were delivered by the students. Originally the exercises of the evening were enlivened and interspersed by the performance of scenes from tragedies, farces, and comedies. This was prohibited by a resolution of the board adopted on the 10th day of December, 1805, when it was "Resolved that hereafter there shall be no public exhibition of any tragedy, comedy, or farce by the scholars after the semi-annual examinations; but their exercises may consist of dialogues, dissertations on questions proposed, and other fit and proper speeches and orations as may tend to qualify them for public speaking." After the literary exercises were closed the younger portion of the visitors and citizens united with the students in the merry dance, and thus joyously spent the rest of the night until the small hours of the morning. The writer found among the papers of his mother several invitations to the Commencement balls, and fac-similes are here inserted as matters of historic interest. Among the managers will be found the names of several who became distinguished as judges, and in the learned professions and political life.

The public dinner was abolished by special order of the Board of Trustees, on the 23d day of April, 1813, when it was "Resolved, that hereafter no dinner be paid for by the Treasurer, and that the Trustees have no public dinner hereafter."

Such pleasing observances of the semi-annual examinations continued for many years. They waned, however, with the declining prosperity of the academy. By the time the academy had degenerated from a high-toned institution, devoted entirely to the classics and higher English branches, to a mixed school for all classes and ages and progress of advancement, the semi-annual examinations

THE HONOR OF
Miss C. Marius Groens
 COMPANY IS REQUESTED AT
 A Ball,
 At Mr. DE WAAL's, on Friday next, 7 o'clock,
 P. M.
 JOHN SUDAM,
 HERMAN RUGGLES,
 JULIUS WHITE,
 J. I. VANDERPOEL, } *Managers.*
 October 24, 1895.

PUERILE BALL.
 THE Honor of *Miss C. Marius*
 Company is requested at a Ball, on
 the Night of the Commencement of the
 Students, at
 Mr. Bogardus's Hotel.
 Cornelius D. Westbrook,
 Jacob E. Bogardus,
 Severyn Bruyn,
 Thomas Bruyn, } *MANAGERS.*

Vacation Ball.
Miss Cornelia Marius Groens
 Company is requested at a BALL, on Friday Even-
 ing, at 7 o'clock, at DE WAAL's Assembly Room
 SEVERTN BRUYN,
 I. I. VAN DERPOOL,
 BEVERLY KAIN, } *Managers*
 ANDREW BRUYN,
 April 27.

as originally instituted, with the joyous festivities of the occasion, belonged only to the history of the past.

But to return to the historical sketches. On the 21st day of December, 1795, the trustees held a special meeting to receive a pair of globes and one hundred and three volumes of solid English literature, as the foundation of an academy library, purchased by money received from the regents of the university. They then adopted the following regulations for the management of the library, evincing a laudable desire to extend the benefits of the library to the citizens as well as the students :

“ 1. Resolved, That agreeably to the intention of the said donation, the students have a preference of using the books of the library as follows, viz :

“ A duodecimo, quarto, and octavo volume for a term of six weeks ; and a folio volume for two months : Provided that for any longer time they pay four pence for every week of excess. And in case of any injury, to pay such damages as the Librarian shall assess, or furnish a new set, (as he shall elect.) retaining the old set.

“ And whereas, a circulation of the said Library may promote the interests of the Institution and disseminate knowledge, therefore,

“ 2d. Resolved, That any citizen of the county of Ulster shall be entitled to the use of the books of said Library upon paying four pence a week for the time aforesaid for each volume, and if retained beyond the time so limited to the students, then to pay four pence for every day of excess. And in case of any injury, to pay such damages as the Librarian shall assess, or furnish a new set and retain the old one, as he shall elect.

“ 3d. Resolved, That the Principal Tutor be the Librarian, to take charge of, deliver out and receive in the books of the said Library, with the moneys to become due and payable for the use of the same, and to render an accurate account thereof to the Trustees at their general stated meetings.

“ 4th. Resolved, That the Librarian shall have the use of the said Library gratis, the same being as a full compensation for his services therein.”

The books thus purchased to form the nucleus and foundation of a library were all standard works of high character requiring the study and thought of matured minds. Many of them may still be found upon the library shelves, and form a marked contrast with many of the other books in the present library purchased at later periods.

On the 18th day of March, 1796, the trustees increased the salary of Mr. Smith, then principal, to £200 ; and on the 30th day of September, 1796, the price of tuition was raised to £6 per year.

On the 12th day of June, 1798, it was resolved that Mr. Senior (John Addison), Rev. George J. L. Doll, Moses Yeomans, Peter Vanderlyn, and Moses Cantine be a committee to examine into the state of the funds of this academy, and make report thereof at the next general meeting. And also once a month to visit the academy and inspect the improvement of the students. The following record of that committee appearing on the minutes conveys a wholesome lesson to trustees of the present day :

On the 28th of September, 1798, " the committee appointed on the 12th day of June last, for visiting the Academy monthly, and to inspect the improvement of the students, and to whom an appeal had been made by Mr. Samuel Freer, on a question whether his son, Anthony S. Freer, should be permitted to speak an oration he had made choice of in preference to one corrected and proposed for him by the principal Tutor, reported that having deliberately considered the question, they are unanimously of opinion that upon the present and similar cases the principal Tutor ought to be the sole judge of what is most proper and conducive to the edification of his pupils ; and unless this confidence is reposed in him, his authority as Tutor would be diminished, and the promotion of knowledge thereby endangered." This report was unanimously sustained by the board.

On the 12th day of February, 1799, a special meeting of the trustees of the academy was held for the special purpose of inquiring into the state of the funds of the academy. Upon examination, it appeared that the income of the academy had not diminished since the last fall vacation. Mr. Vanderlyn moved that the salary theretofore allowed to the principal tutor of their academy be continued agreeably to the last contract. Mr. Conrad E. Elmendorf moved as an amendment, that the salary of the principal tutor be such sum as should be received for tuition of the students, be the same more or less. The amendment was negatived, and the original motion carried by a large majority.

The trustees were then not yet prepared, by making the salary of the principal entirely dependent on the number of his pupils, to throw out to their principal an inducement to court popularity rather than the educational interests and advancement of the pupils.

At the meeting of the trustees on the 2d day of May, 1800, the death of John Addison, the then late senior trustee, was announced. The seniority then fell upon the Rev. George J. L. Doll.

Mr. Smith having resigned his position as principal on the 1st day of August, 1801, the Rev. David Warden was appointed principal tutor, at an annual salary of \$450 ; " And in case the income arising from the students should exceed that sum, the Trustees

will allow such excess to Mr. Warden until his salary shall amount to \$500. The excess over \$500 to be at the disposal of the Trustees." On the 30th day of April, 1802, the salary of Mr. Warden was permanently fixed at \$500.

On the 28th day of June, 1802, is recorded an addition to the library of thirty volumes, purchased with the proceeds of a subscription amounting to \$61.75.

At a meeting of the trustees, held on the 1st day of October, 1802, pursuant to a law of the State, entitled, "An Act relative to Academies, passed March 8, 1802," the Rev. George J. L. Doll, the then senior, was unanimously elected president of the board. He was thus the first president elected by the board. Previous to that the senior trustee having performed the duties of presiding officer under the title of "Mr. Senior."

At the same meeting the following preamble and resolutions were adopted :

"Whereas the Trustees having received information (after the examination of this day,) of several students absenting themselves, and thereby avoiding an examination, as directed by the orders and regulations of this Academy, thereupon:—Resolved, that in case any student shall hereafter be guilty of absenting himself from any public examination without a reasonable excuse to be made to, and approved of by the principal Tutor and at least two of the Board of Trustees, he shall suffer the punishment of a public reprimand ; and for a second offence be expelled the Academy, and not again admitted as a student within the same."

On the 3d day of January, 1803, at a special meeting of the Board of Trustees, it was "Resolved, that if at any time hereafter any student belonging to the Academy shall be found guilty of playing cards, or to gamble, or to play at any other game in a tavern, public-house, or any gambling-house whatever, and the same shall be proven to the satisfaction of the Trustees, he or they so offending, shall be liable to be expelled from the Academy. And that the names of the offenders, together with the reasons of their expulsion, be printed in the public papers at the option of the Trustees."

The following additional entries appear upon the minutes of the same meeting : "Mr. President and the said Trustees, taking into consideration the present flourishing state of the Academy, and the propriety of addressing the Honorable the Regents of the University upon the occasion at their next annual meeting, in this present month of January—appointed Mr. Bancker to prepare and report an address accordingly at this present meeting. Whereupon Mr. Bancker agreeably to appointment, reported the draught of an address to the Honorable the Regents of the University,

which he read in his place, and the same being again read and considered by paragraphs, was approved of by the Trustees, and ordered to be engrossed, signed by the President, and attested by the Secretary under the seal of the Corporation, to be delivered or transmitted to His Excellency the Chancellor of the University. The same is in the words following, viz. :—

“ His Excellency George Clinton, Chancellor, and the Honorable the Regents of the University of the State of New York.

“ MOST RESPECTED SIRS :—The Trustees of Kingston Academy, in the County of Ulster, take the liberty of addressing your honorable body upon the present flourishing situation of the Seminary committed to their particular care, and trust that an anxious solicitude for its further prosperity will apologize for any impropriety in this communication.

“ Since the first establishment of this Academy by the Trustees of the Corporation of Kingston in the year 1774, they have been very fortunate in providing able teachers therein, and without any other fund than the bare tuition money ; have had a number of pupils committed to their care, from among whom can now be selected characters, who have since been preferred by their fellow-citizens to the important offices of a Lieutenant Governor and President of the Senate, a Speaker of the Assembly, a Justice of the Supreme Court, a Mayor of one populous city, and both Mayor and Recorder of another. Several members of the National and State Legislatures, besides a number of characters eminent in their several professions of Divinity, Law, and Physic.

“ From this pleasing review of the past, the Trustees hope not to be thought vain or assuming in considering Kingston Academy equal in usefulness to any other of like establishment within this State ; and as such, meriting the fostering care and attention of the Honorable Regency, as its common parent.

“ Since our Deed of Incorporation of the third day of February 1795, there having been but one visitation to the Academy, the Trustees beg leave to mention, that having received two hundred dollars from the Public Treasury, the same, together with a further sum of about sixty dollars, collected by voluntary contribution, has been carefully expended in the purchase of a neat set of Globes and Maps, with some Mathematical Apparatus and about one hundred and thirty-two volumes of choice books for the Academy Library. The same are placed under the immediate control of the present Principal Tutor, the Rev. Mr. David B. Warden, a gentleman originally from the University of Glasgow, in Scotland, but last from Kinderhook, where he stood as a teacher till called to this Academy about seventeen months since. He with only one

Usher to assist him, has now the charge of fifty-three students—a number exceeding any heretofore known at one and the same time, and for whom the Trustees are desirous of providing another Usher, but find the means inadequate. That students arranged in classes are taught the Latin and Greek languages, Elementary and Practical Geometry, Mathematics, Logic, Moral and Natural Philosophy, Ancient History, Geography, the History and Government of the United States, and the French language. Two of the present students are from two neighboring States, viz. : one from Maryland, and the other from Pennsylvania. Twenty others are from six neighboring Counties, viz. : One from New York, one from Westchester, seven from Dutchess, five from Columbia, one from Albany, and five from Greene, and the remaining thirty-one belong to this County ; thus this nursery for science will, with the blessing of a kind Providence, spread her fruits far and wide.

“In order to render the Academy more extensively useful, the Trustees have for several years past assigned a large convenient room on the first floor for the use of an English School, which generally consists of twenty-five to thirty scholars, who are taught reading, writing, and arithmetic.

“The Trustees beg leave to add, that none of the English scholars have been enumerated with the Latin students reported to the Honorable Regents, and which they have understood to have been the case from some neighboring Seminaries, in order they presume, thereby to receive a larger share of the bounty of the State. Be that as it may, the Trustees of Kingston Academy have with pleasure observed the means adopted by the Honorable Legislature for the encouragement of Literature, and rest satisfied that their own exertions in this laudable undertaking, will not fail to meet with every assistance in the power of a generous Regency to afford them. In testimony whereof, we have caused our common seal to be thereunto affixed. Witness the Rev. George J. L. Doll, our President of our Academy, this 3rd day of January, 1803.

“GEORGE J. L. DOLL, *President*.

“Attested. ABM. B. BANCKER, *Secretary*.”

From an entry in the minutes of a meeting held by the board on the 30th day of September, 1803, it appears that upon the preceding application, the regents donated to the academy the sum of one hundred pounds, which was received into the treasury, and appropriated to the discharge of a balance due Mr. Smith, their former principal, to the purchase of a new bell for the academy, and the residue paid to Mr. Warden, on account of his salary. The bell purchased at that time is probably the same bell which was in the present academy until recently.

The following preamble and resolutions were passed by the trustees at a meeting held by them on the 31st day of January, 1804 :

“ The Trustees taking into consideration the present flourishing situation of the Academy, and the great encouragement afforded them, as well by private subscriptions as by a generous donation from the Trustees of the Corporation of Kingston, of real property, as a fund towards the establishment of a College within this town, thereupon,

“ *Resolved*, that Mr. President, Mr. Conrad E. Elmendorf, and Mr. Bancker, be a Committee to prepare two memorials to the Honorable the Regents of the University, and the Honorable the Legislature of the State, in their present session, soliciting the sanction of the former in founding a College within the town of Kingston ; and also the aid of the latter towards building and endowing the said College.

“ *Resolved*, That Mr. President, Mr. Conrad E. Elmendorf and Mr. Dezing be a Committee to proceed to the city of Albany and present the said memorials and use their best endeavors towards obtaining the objects contemplated.”

The result of the application appears in the following extract from the minutes of the trustees of that date :

“ At a meeting of the Trustees held on the 17th day of March 1804, the President from the Committee appointed to wait on the Regents of the University to solicit their sanction in founding a College within the town of Kingston, produced a report from a Committee of the said Board of Regents, which was read in the words following, viz. :

“ The Committee to whom was referred the Petition of the Trustees and inhabitants of Kingston, in the county of Ulster, praying for the establishment of a College in that village, respectfully report,

“ That your Committee have maturely reflected on the prayer of the petitioners and are highly pleased with the literary zeal which they manifest by their liberal subscriptions and laudable exertions to procure the establishment of a College in their village. But while the Committee pay the petitioners this tribute of commendation it is their duty to estimate and decide impartially upon the merits of their application. That in making such estimate and decision the Committee cannot lose sight of the important trust committed to the Regents of the University, which imposes on them to have a due regard to the general interests of literature throughout this State. That the Committee have seen with concern the difficulties which the present collegiate institutions within this State have encountered and continue to struggle with, from

whence they cannot but anticipate that the multiplication of such institutions would be inexpedient at the present day, inasmuch as it would increase those difficulties by dividing the means necessary for their support. That the Committee also perceive from the subscriptions of the petitioners that they involve a condition that the Regents have it not in their power to fulfil, to wit, the assurance of legislative aid to facilitate the accomplishment of the desirable and praiseworthy views of the petitioners. That without such assurance the Committee regard the subscriptions as altogether conditional and therefore not forming a proper and secure basis on which to predicate the important and expensive establishment of a College. That independent of the objection above stated the Committee also beg leave to remark, that a large proportion of the subscriptions on which the said application is founded consists of Ulster and Delaware Turnpike Stock, the value of which is unascertained and extremely precarious. Your Committee are, therefore, of opinion that it would be improper to grant the prayer of the petitioners. All which is respectfully submitted. Senate Chamber, Monday 13 February 1804. The above report was received and read and agreed to by the Regents. Thereupon, Resolved, that a copy of the Report of the Committee be presented to the applicants. By order of the Board of Regents,

“FR. BLOODGOOD, *Secretary.*”

The establishment of a college being thus denied, upon reasons which commend themselves to the judgment and approval of all, the then Trustees of the Corporation of Kingston, consisting of John Tremper, Abraham Hoffman, Peter Marius Groen, William Swart, Tobias Van Buren, Christopher Tappen, John Van Vliet, Jacobus Terpenning, Henry Schoonmaker, and Abraham Houghteling, conveyed the whole of the real property which had been designed for a college fund to the trustees of Kingston Academy as a fund for that institution. This deed is dated March 15th, 1804, and conveyed over eight hundred acres of land, including the triangular lot in the village of Kingston upon which the present academy building is situated.

In October, 1804, the price of tuition was raised to \$18 a year. Mr. Warden having resigned as principal, the Rev. Thomas Adams, of Hartford, Conn., was selected to fill the vacancy, at a salary of \$700 a year.

In May, 1805, a committee consisting of Peter Marius Groen, Conrad E. Elmendorf, and John Tremper was appointed to report upon the propriety of selling the academy building, a plan and site for the erection of a new building, to solicit subscriptions for the purpose, and with authority to make such alterations and

repairs as might be indispensably necessary for the existing building and the convenience of the schools.

At the same meeting the trustees fixed the compensation of all their committees at \$2 per day, they bearing their own expenses. And the Land Committee were authorized to sell the real property either at private or public sale, in such quantities as they might deem advantageous, with authority to receive one third part of the consideration in the Ulster and Delaware Turnpike Stock, and all former sales were confirmed.

At the semi-annual meeting in October, 1805, some of the negligent members of the board were aroused to their duty by the passage of the following resolution: "Resolved, that a letter be written to each absenting Trustee of this Board, stating to him the necessity of his attendance at our semi-annual meetings as a member, and such as cannot in future give their attendance more punctually than heretofore, be requested to resign the appointment, in order that others may be appointed who will attend to the business of the Institution."

At a meeting held on the 4th of November, 1805, Mr. Peter Marius Groen, one of the committee appointed to report in reference to the academy building, reported, "That any repairs to the present Academy Building would be useless, inasmuch as it never can be repaired or altered so as to answer the purposes of the Institution. That your Committee advise an immediate sale thereof with a delay of rendering possession until a temporary building for the Academy, etc. may be erected, which your Committee recommend. And also that they adopt immediate measures to begin and lay the foundation of a new building in the eastern or western extremity of the village. And that the interest of your funds, the amount of the sale money, and such sums as a Committee for that purpose to be appointed can solicit and obtain from the goodness and generosity of our fellow citizens, be applied to this purpose. 24th of June 1805." It was then after a considerable debate, and by a vote of ten to six, "Resolved, to appropriate \$3,000 out of the land sales and such additional sum as might be procured from sale of the old Academy, to build a new Academy, upon such site as might be agreed upon." And by another resolution the triangular lot where the present building is situated was fixed upon as the site.

On the 10th of December, 1805, the building committee reported the plan and probable expense of a new building, which was approved. A motion to rescind the resolution fixing upon the triangle as the site for the new building, was defeated by a vote of twelve to three. A committee was appointed to solicit subscriptions, and to apply to the trustees of Kingston "for a further ex-

tension of their generosity to aid in the new proposed Academy building." And a building committee was also appointed.

At the same meeting it was declared to be "the duty of the Principal, or in his absence his Assistant, to open the school every morning with the reading of a chapter out of the Bible and prayer. That it was the duty of the Principal to attend during all school hours, and that the Students do punctually attend prayer under the penalty not to exceed *three cents* for every omission." And resolutions were passed prohibiting the public exhibition of any tragedy, comedy, or farce by the students after the semi-annual examinations; that no student should be admitted into the academy without a receipt that a half-year's tuition had been paid in advance; that no meeting of the board should be held before dinner, except on examination days, unless by special order or necessity; and authorizing the principal to fine every student six cents neglecting to attend divine worship every Sunday twice without a sufficient excuse.

The students in the academy had a particular place assigned to them in the gallery of the Dutch Church, the only church then existing in the village, and were required to occupy that place in a body, as well residents as non-residents. The enforcement of the above order thus became easy, and it evinces the close watchfulness of the board over the habits and morals of the students. In addition to this, no student was permitted to be in the streets after eight o'clock in the evening.

At a meeting of the trustees, held on the 7th day of March, 1806, the resignation of John Tremper, as one of the committee to superintend the building of the new academy, was read and accepted, and a committee appointed to put the old academy in repair. With these proceedings the project for a new building was abandoned for many years.

On the 25th of October, 1806, a committee was appointed to engage Mr. James Vanderpoel to superintend the academy till Mr. Adams's health should permit him to resume his duties, and in case of his death, until a new principal could be secured. Mr. Adams subsequently died, and Gardiner B. Perry was, on the 9th of December, 1806, appointed as principal at a salary of \$700.

On the 7th of July, 1806, the committee for the sale of lands were discharged, and from the proceedings at some of the subsequent meetings during that and the succeeding year, it would appear that there was some dissatisfaction in reference to their accounts, and some difficulty in procuring the surrender of the papers and a rendition of their accounts.

On the 16th of May, 1807, another committee for the sale of the vacant lands was appointed, and they were directed to sell the same.

At the semi-annual meeting in October, 1807, a committee was appointed to regulate the studies to be pursued in the academy, and inquire into the state of the academy and the use made of some of the rooms.

At the semi-annual meeting in May, 1809, it was "Resolved that in future all scholars in the Academy under the care of the Principal Teacher, be charged \$15 per year except the young ladies learning reading, writing, etc., that they be charged \$10, and those scholars in the English School be also charged \$10."

At the semi-annual meeting in September, 1810, a sale of the triangular lot was authorized, and a committee appointed for that purpose. At the same meeting an unfortunate state of the finances is shadowed forth by the passage of a resolution directing the treasurer to have *five hundred* printed letters struck off, and that he send one to every defaulter on the books of the trustees.

At a special meeting on the 21st day of January, 1811, a committee was appointed to solicit pecuniary aid for the academy from the regents of the university, the Legislature, and the citizens of Ulster County. At the same meeting the authority to sell the triangular lot was rescinded.

In the year 1812 the Rev. John Gosman was elected president of the board, and in the same year the Rev. Jabez Munsell was appointed principal of the academy, and the price of tuition raised to \$20 per annum.

At a meeting of the trustees on the 29th day of April, 1814, it was "Resolved that Mr. Munsell be requested to see that all the Students of the Academy are at their lodgings in summer by 9 o'clock, and 7 in winter." How happy it would be if such rule, including boys generally, could be established and enforced at the present day! How many it would snatch from the jaws of dissipation and vice!

At a meeting of the trustees on the 7th of May, 1816, the Monthly Examining Committee, Rev. Mr. Gosman, Mr. J. Sudam, and Mr. Z. Schoonmaker, were instructed strictly to examine into the education of the students. On the 11th of October following, the committee reported favorably upon the examinations, except that they found a defect in grammar, which Mr. Munsell had promised to attend to. This report shows that in those days such committees discharged their duties.

In 1817 Mr. Munsell, having resigned, was succeeded by Mr. Malbone Kenyon as principal, at a salary of \$600.

At a meeting of the trustees on the 27th of June, 1817, it was agreed that Mr. Kenyon might receive into his school such young ladies as he might think proper to teach in the higher branches of the English language, etc., and also such young gentlemen as he

might think proper under the direction of the School Committee. During this year the finances had reached a very disordered condition, and a bank loan of \$1000 was made to satisfy arrearages.

On the 21st of January, 1818, it was resolved that all vacancies in the board thereafter, occasioned by resignation or otherwise, be not filled, so that the number of the trustees be reduced to twelve, according to the act of the Legislature of the session of 1816.

At the same meeting, the board having received notice of Mr. Kenyon's intention to resign at the end of the current year, appointed a committee with authority to engage some proper person as principal, and to offer him \$150 per annum and the proceeds of the tuition money for the instruction of twenty-four pupils, but no more. After which, and in the month of April following, Mr. Sidney Weller was engaged as principal upon those terms, except that he was allowed to take thirty pupils. On the 16th of October, 1818, the trustees authorized the number of Mr. Weller's scholars to be enlarged to forty, on condition that he procure an usher to be approved by the Visiting Committee, thus careful was the board of that day that the students should not be neglected by overcrowded rooms and an insufficient number of teachers. In May, 1819, Mr. Weller resigned, and he was succeeded by a Mr. Smith. He resigned after remaining about a year, and then the use of the upper room was granted by the trustees to Mr. French, an English teacher, until a classical teacher should be procured.

We have now reached, in this historic sketch, the lowest ebb in the tide of progress of this time-honored institution. From an institution standing for many years at the head of the academies in the State, boasting to have numbered among its pupils many who afterward became distinguished among the first and leading men in the State, we find it at this date struggling under pecuniary embarrassments, and without a classical department. Other rival institutions had sprung up and been established in all directions, which cut off its foreign support and threw it entirely upon its home patronage. That unfortunately proved insufficient to sustain it.

In this sketch we have thus far limited our notice to the progress of the classical department, and indeed up to this time the care and attention of the board had been to a great extent confined to that department. The lower English branches had been constantly taught by teachers occupying some of the lower rooms in the academy, but although under the supervision of the board, were not recognized as belonging to the academy proper.

The first entry in the minutes in reference to the English school is under date of May 2d, 1800, when it was "Resolved that Mr. Martin Stanley have the use of the lower west room of the Academy for teaching the English language, mathematics, etc., etc.; that he

become subject to a committee of the Board, and conform to such rules and regulations as the Trustees might think proper to adopt."

On the 21st of January, 1803, the same room was granted to James Shields. In July, 1804, it was granted to Amos G. Baldwin.

On the 17th of May, 1808, it was "Resolved that a teacher be employed by the Trustees, to teach an English school in the Academy under their direction and for their benefit." An English school was then established under the charge of Mr. L. Ruggles. He resigned at the expiration of about one year, and was succeeded by Mr. Oliphant. In September, 1810, Edward O'Neil succeeded Mr. Oliphant. On the 12th of May, 1812, it was "Resolved that the whole English department be abolished after September next," and in September, 1812, it was "Resolved to rent out the English School room." Mr. O'Neil continued in the occupancy under the new arrangement. On the 7th of May, 1816, a resolution to give the trustees of the common school the control of the lower rooms was negatived, and it was determined that \$150 and no more would be given to any teacher to be employed in the English school-room, that he be limited to forty scholars, and be under the direction of the trustees and principal of the academy. Tuition fees to be \$10, and nothing to be taught to interfere with the upper room. A contract upon this basis was made with Nathaniel Perry for instructing the English school, and it is dated May 9th, 1816.

This plan was abandoned, and on the 7th of March, 1817, it was agreed that Cornelius Tappen might have the English school in the academy from the 1st of May then next, keeping it in good repair, and under such directions as he should receive from the trustees.

In October, 1817, the grant of the lower room to Cornelius Tappen was revoked, and the room was placed at the disposal of the Visiting Committee. It was subsequently occupied by Messrs. Morris and Walworth in succession, when Mr. French was appointed, with power to occupy the upper room until a classical teacher was procured, as before referred to.

The academy in its organization and early progress was confined entirely to the instruction of young men. Young ladies were not allowed to participate in its benefits. Shortly after its incorporation, and during the administration of Mr. Smith, three young ladies were by special privilege permitted to receive evening lessons from the principal, and have the use of the maps and globes. They were, Miss Catharine Van Gaasbeek, a poetess of considerable eminence, who afterward married Mr. Martin Stanley, of East Hartford, Conn., and was the mother of A. D. Stanley, late Professor of Mathematics in Yale College; Miss Catharine Hasbrouck, who afterward married the late Severyn Bruyn, and Miss Cornelia

Marius Groen, who afterward married the late Zachariah Schoonmaker, and was the mother of the writer.

In 1809 it appears, from an entry in the minutes, that some young ladies had been allowed admission into the academy, and their rate of tuition was established at \$10. At the semi-annual meeting in May, 1809, it was "Resolved that the Principal of the Academy have the right of appointing one of the young ladies, his scholars, as a teacher to the females under his care; that that teacher shall not be charged anything for tuition." At a special meeting held in the month of December, 1810, the board confirmed an agreement made with Miss Wells, as female teacher, and "Resolved, that the School for females be continued;" and a committee was appointed to procure a female teacher capable of teaching painting, embroidery, and, if possible, other fine arts. A Miss Paine was subsequently employed. But at a special meeting held on the 29th of January, 1812, the female department of the academy was ordered discontinued.

Afterward at a meeting of the trustees, on the 27th of June, 1817, the principal of the academy was allowed by the board to open the upper room to such young ladies as desired to study the higher branches of the English language, etc. This privilege continued in force until 1820.

This academical sketch has now been brought down to the date at which it is proposed to close this history. But it is proper to add that the academy struggled along under the charge of the trustees with varying success until 1864, when it was merged into the free-school system and surrendered to the control of the Kingston Board of Education, under which, with an almost unlimited control of the public funds, there is no reason why it should not be maintained at as high a grade as any other institution of the kind in the country.

CHAPTER XXI.

LOCAL MATTERS—DISPOSITION OF CORPORATE PROPERTY—ORGANIZATION OF VILLAGE—DISSOLUTION OF TRUSTEES, 1816.

AT the time of the Revolution that part of Kingston then known and designated as “the plains” was lying entirely open and in commons, and was not built upon. It comprised all the territory lying east of a line drawn from Pearl Street to St. James’ Street along the easterly bounds of the lots now known as the Sahler Lot in Pearl Street and the Jackson Lot in Maiden Lane, and between Albany Avenue on the north and St. James’ Street on the south, and it extended to the ring fence of the Armbowery.

The trustees caused all that territory to be laid out in lots and a map made thereof, and sold a large portion of it as building lots. They required every purchaser to bind himself, in the penalty of sixty pounds and forfeiture of his lot, to build thereon and improve the same within two years from the date of the purchase. When the two years had expired a large majority of the purchasers had failed to comply, and had not made any advance toward the improvement of their lots. At first an extension was given. But the parties still neglecting to improve, the lots were declared forfeited, and legal proceedings authorized to enforce the forfeiture and collect the penalty of the bonds. There was considerable discussion and negotiation between the parties, and the purchasers demanded to be refunded the purchase money paid. This was absolutely refused by resolution of the trustees on the 26th day of May, 1784. Then it was agreed to have one suit brought and tried as a test suit. This, however, was delayed, and discussions and negotiations were almost continually pending; finally, however, on the 26th of February, 1790, a number of the purchasers appeared and offered to pay sixty shillings apiece more for their lots if the trustees would surrender their bonds. The trustees resolved that they would then, for the last time, offer that, if any whose lots were forfeited and bonds left in the hands of the trustees would reconvey their lots to the trustees the next Monday, they should have their forfeited bonds of sixty pounds returned to them. But all those who refused to comply must abide the consequences. Samuel Freer, Andries De Witt, Jr., Peter Marius Groen, Peter Roggen, Jonathan Elmendorf, Coenradt G.

Elmendorf, Cornelius Persen, and Judge Direk Wynkoop complied by reconveyances and took up their bonds. What was the result as to the other defaulters the trustees have not registered in their minutes.

At a meeting on the 5th day of November in that same year, 1790, the trustees "Resolved that the lot of land, known to be the water pond or ploss, on the plains which lies between the house of Abraham Vosburgh, where he now lives, and Col Hasbrouck's house and orchard to the west, and adjoining David Delameter and Wessel Ten Broeck lots to South west, being a triangular piece of land, the whole lot is reserved to build an alms house on, for the use of the corporation, at the request of William Ellsworth Jr." This lot is what in subsequent years was known as the "first plains," and that portion thereof east of Clinton Avenue is now occupied by Kingston Academy. The western part is covered with residences.

Before being thus occupied the first plains lay in commons for many years, furnishing a fine sporting ground for the boys—ball ground and other amusements in spring, summer, and fall, and good skating always after the January thaw in winter.

The second plains, lying beyond the junction of Maiden Lane and Albany Avenue, was used as a parade ground for companies' and officers' parade. It was eventually sold at sheriff's sale under a judgment against the trustees. Under the title acquired by that sale it has of late years been built upon and improved.

In 1783, when Congress and the nation were looking round for a permanent and suitable place for the location of the national capital, the goodly burghers of Kingston concluded that this of all others was the most appropriate spot. Accordingly, the trustees of the corporation, at their meeting held on the 29th day of January, 1783, as a preliminary move toward the accomplishment of their object, adopted the following resolution :

"Resolved That a petition be draughted to lay before the inhabitants of this town, in order that the Trustees may know the sense of their constituents, whether it will be agreeable to them that the Hon. the Congress of the United States shall come and reside within this town."

The trustees then appointed several committees to visit the different sections of the town "to collect the minds of the inhabitants thereon."

On the 7th day of February, 1783, they by resolution directed their speaker to sign a memorial to the Legislature "praying that their estate be erected into a separate district for the Hon. the Congress of the United States."

On the 7th day of March, 1783, they "Resolved unanimously, that the President or Speaker sign and seal with the corporation

seal, a certain instrument in writing, granting to the Congress of the United States one mile square of land within the limits of this town, in case they shall think proper to come and reside there."

On the 13th day of March, 1783, they received a letter from the Hon. Robert R. Livingston encouraging them with a prospect of success in their application to Congress. They directed Mr. Tappen, their secretary, to draught a letter to Mr. Livingston and enclose therewith copies of the aforesaid resolutions and papers.

The State Legislature at once seconded the application, as appears by the following proceedings in the Assembly :

"On the 14th day of March, 1783, a message was received in the Assembly of the State of New York, from the Honorable the Senate, advising the Assembly that the Senate had agreed to certain resolutions relative to the township of Kingston ; to which they requested the concurrence of the House." The resolutions being read and considered by the Assembly, it was "Resolved That this house do concur with the Honorable the Senate in the said resolutions, and thereupon sent a committee to the Senate notifying them of their concurrence."

The resolutions were as follows :

"Whereas in the opinion of this Senate, it will be advancive of the public weal of these United States, to furnish Congress with the means of establishing their fixed residence within this State ; and whereas it also appears to this Senate, that the township of Kingston in the County of Ulster, within this State, will afford a suitable situation for that purpose.

"And whereas the Inhabitants of the Corporation of the said township, the bounds whereof are very extensive, have offered, as an inducement for the purpose aforesaid, to grant to the United States in Congress assembled, a sufficient quantity of land within the said township, to secure to Congress a place of residence adequate to their dignity, with all the reasonable privileges which are in their power to grant ; and to subject themselves within the bounds of the said township, to such regulations, for the purpose of giving an exempt jurisdiction to Congress, as in the judgment of the Legislature can constitutionally be provided, for securing and perpetuating, as well such exempt jurisdiction, as any corporate rights, which the Legislature may judge proper to grant to the United States in Congress assembled and to their successors forever.

"Resolved (If the Honorable the House of Assembly concur herein) as follows viz FIRST That in case the Corporation of the said Township shall offer to the United States in Congress assembled such grant of lands, and other rights and privileges within the said Township, as may be lawfully offered, and they shall judge proper to accept, the Legislature of this State will incorporate and

capacitate them for that purpose, if such grant be not inconsistent with the laws of the land."

Then followed another, the second resolution, conferring jurisdiction over such territory to the United States in case of its adoption as the seat of Government of the United States.

Copies of the resolutions of the Legislature of New York, together with the petition and proposals of the trustees and citizens of the town of Kingston, were forwarded to Philadelphia for presentation to the Congress of the Confederation by Governor Clinton, accompanied by a letter, of which the following is a copy :

" KINGSTON, 20th March 1783

" SIR

" I have the honor to transmit to your Excellency, an act of the Corporation of Kingston, and joint resolutions of both houses of the Legislature of this State, respecting a fixed residence and an exempt jurisdiction for the accommodation of Congress. These papers are accompanied by a map which will point out the situation and extent of the corporate lands.

" Their charter rights are ample, and their title unexceptionable.

" Without entering into the merits of the proposition as it respects the Honorable Congress of this State, it is my duty to declare, that the zealous and uniform efforts of the Inhabitants of Kingston in the cause of liberty, and the calamities which they have suffered from the vengeance of Britain, avowedly for their distinguished patriotism, entitles them to consideration ; and it is with great pleasure that I submit their wishes to the attention of Congress

" I have the Honor to be with great esteem and respect

" Your Excellency's Most Obed't Serv't

" GEO. CLINTON

" *To His Excellency The President of Congress.*"

The papers thus forwarded were duly presented to the Congress of the Confederation, and referred by them to the committee having that subject under consideration.

On the 4th day of June, 1783, the committee reported the following resolution, which was adopted :

" Resolved that copies of the act of the Legislature of Maryland relative to the cession of the city of Annapolis to Congress for their permanent residence and also copies of the act of the Legislature of New York relative to the cession of the town of Kingston, for the same purpose, together with the papers which accompanied both acts, be transmitted to the Executive of the respective States,

and that they be informed by the President that Congress have assigned the first Monday in October next for taking the said offers into consideration."

On the 11th day of July, 1783, the trustees received a letter from his Excellency Governor Clinton enclosing the preceding resolution of Congress, also resolutions of the Corporation of Annapolis and of the Maryland Legislature in relation to their offers to Congress to remove and reside among them. They at once referred the papers to Messrs. De Witt and Tappen, as a committee to take such measures in regard to the same as they might deem necessary, and report thereon.

On the 22d of September the trustees received letters from Hon. William Floyd and Alexander Hamilton, delegates in Congress, suggesting that the trustees had not been sufficiently liberal in their grant of lands to Congress, and that if they had tendered two miles square instead of one, they might have had some hopes of success. The trustees then at once directed an offer to be made to Congress, through their representatives, of two miles square for their permanent residence.

On the 22d day of August, 1783, the trustees passed a resolution designating Messrs. A. De Witt and Christopher Tappen a committee to call upon Chancellor Livingston and consult with him in regard to the residence of Congress.

There are no further entries in the minutes of the trustees in regard to the Congressional residence. Congress took no definite action on the subject under the Confederation.

On the 29th of January, 1782, it was resolved, at a meeting of the Board of Trustees, to present a petition to the Legislature for the erection of the Court House and jails in Kingston, and they appointed Messrs. De Witt and Tappen, together with Mr. Addison, to prepare the same.

Soon after this the Court House was rebuilt. It contained family rooms on the first floor, court-room on the second floor. The judges' bench was against the rear wall of the building, and behind it was a large frame containing the coat-of-arms of the State. The bar was directly in front of the judges' bench, with grand jury benches on one side and the petit jury benches on the other. An aisle led from the entrance along the jury benches and bar to the north wall; from that aisle back to the front of the building were the seats of the spectators rising one above the other as you proceeded back, so that the rear bench came within seven or eight feet of the ceiling. There were two jury-rooms on the same floor with the court-room. The jail and dungeons were in the south end of the building.

The Court House was set back from the street about the same

distance as the present one. In the front yard was the whipping-post, and when it was in vogue a town whipper was a regular office-holder appointed by the trustees, and women were not always exempt from the lash. In the front yard, alongside of the entrance walk, were the stocks. Men and boys were fastened therein for minor offences. Loungers along the streets on Sundays and boys playing truant about the streets during school hours on week days were treated to the enjoyment of the stocks for a season. Mr. Benjamin Newkirk, an old respected citizen of this place, who has by some years passed fourscore years and ten, says that he has seen persons confined in the stocks, and that the boys would sometimes salute those enjoying such privileges with sweet-scented rotten eggs.

The appointment of town whipper is recorded a number of times, with the compensation designated, in the minutes of the trustees.

Two instances of such appointment are as follows: At a meeting of the trustees held on the 26th of September, 1788, it was "Resolved that Anthony Baroon be appointed town whipper, and that the trustees pay a fine of £3, for which he stands committed, besides 20/ for the expenses of his commitment, for which sum, he the said Baroon has engaged to whip the first ten offenders who shall be sentenced to corporal punishment."

On the 19th of February, 1790, "Anthony Baroon waited on the Trustees, and said he had fulfilled his former engagement as Town whipper faithfully, and would now agree for another year. The Trustees agreed with said Baroon for one year more, and were to give him three pounds, and also the rent of the land he lived on, Provided he serve our Corporation as Town whipper one year at all times when requested and not fail."

The Hudson River along the boundaries of the old town of Kingston has always, since the first settlement of the country, been celebrated as a fishing place for shad and herring during the season thereof. Before the present great conveniences for travel, the inhabitants for many miles in the interior made an annual pilgrimage to Kingston to procure a yearly supply of shad and herring. In process of time, as population increased, it became quite an extensive and profitable trade. People came from a distance as great as forty or fifty miles to buy their shad and herring by the hundred. They salted the principal part of them down, and smoked the remainder.

The trustees, after their organization, assumed the right to control the fisheries, and leased the fishing grounds to individuals, and protected them as far as possible in their assumed rights. Although the question of jurisdiction over the soil and flats in the river, sufficient to give exclusive right, might have been questioned,

still, as the preparation of the flats and channel by the removal of stones, rocks, and other obstructions required much labor, the right was generally permitted to pass unquestioned, and many of the privileges thus acquired are enjoyed to the present day by the descendants of the original proprietors or their assigns.

This digression is called for by an entry in the trustee minutes under date of the 1st day of April, 1782, as follows :

“Cap Evert Bogardus and John McLean came in and exhibited a complaint against persons for infringing on the liberties of fishing at the fishing place, and informed them that they and others had cleared a place and enjoyed it for a number of years ; that if the trustees will let them and the Houghtelings enjoy their privilege, they are willing to pay a rent for the same.” The trustees then “Resolved that an advertisement be fixed up and that the clerk draught the same.”

The clerk immediately draughted a notice for that purpose. It was approved, and ordered to be posted at some of the most public places in the town.

What the advertisement actually was there is no mode of ascertaining, but it is supposed to have been a notice or order forbidding an interference with fishing rights.

The troubles of the fishermen apparently continued, and they were not allowed by outsiders to enjoy their privileges unmolested, as appears by a petition which was presented to the trustees early in the fishing season of 1797, as follows, showing, in the language of the fishermen, the rights claimed in regard thereto :

“To the Honorable Trustees of the town of Kingston

“The petition of us Freeholders and Inhabitants of the town of Kingston Humbly sheweth ; That whereas we are in possession of valuable fisheries, within the bounds of your corporation, which we suppose of right belongs to you and us solely, and to no other town or place—Beg your interposition in our behalf, that you, through your wisdom would pass a law forbidding all and every person, not belonging to our said corporation, to fish on any ground covered with water within our said town of Kingston, on pain of paying such fine, as you through your great wisdom shall think fit ; and we your petitioners as in duty bound shall ever pray

“Date Kingston March 22nd 1797

“Jonas Van Aken, Gerrit Freer Jun, Cornelius Houghteling, Peter Van Aken, William Freer, Benjamin A Van Aken, Abraham P Van Aken, Jacob Van Aken, Benjamin Van Aken, Moses York, Abraham Van Aken, John Van Bergen, Peter Ostrander, John Schryber, Henry Peaslow Jr, Antony Peaslow, Cobus Degraff, John Litts, Cornelius Delamater Jr, Marinus Van Aken, Benjamin

Delamater Jr, John Pough, John P Slegt, Abraham C Delamater, Jeremiah Houghteling, John Wiest, Martinus Eckart Jun, John Van Aken."

Although it has not been uncommon to throw out suggestions and slurs against the inhabitants of Kingston in regard to their want in those days of enterprise in reference to the building of roads and opening thoroughfares to the interior, it will be found, in a careful study of history, that they were among the first to move in that direction, and their failure was from other causes beyond their control, and not from a sleepy want of enterprise.

It appears that as early as the 28th day of August, 1783, when the din and turmoil of battle in the land had scarcely lulled, the trustees made arrangements to make explorations westward toward the Schoharie Kill and Paghketaghan, for the purpose of laying out roads in that part of the country; and in the following year, on the 18th day of August, after considerable discussion as to their right to appropriate money for improvements outside of the town limits, they resolved that they had the power, and then at once contributed two hundred dollars to aid in building a road toward the Schoharie Kill; this was in addition to private subscriptions. On the 7th day of October, 1783, the trustees appointed Johannis Persen and Philip Houghteling superintendents of the work in making such road.

On the 2d day of May, 1785, the trustees passed a resolution that if the ministers, elders, and deacons of the Dutch Church of this town concur therein, that the said church and the trustees do purchase for the use of the minister presiding in said church a lot of low land for pasturage or other purposes.

The Consistory of the church having assented to the proposition for the purchase of a lot of about four acres from Jacob Ten Broeck, it was done, and the trustees paid one half the purchase money.

In 1797 an act was passed by the Legislature authorizing "the Trustees of the Freeholders and Commonalty of the town of Kingston or a major part of them to organize a fire department consisting of men residing within half a mile of the court house, not exceeding twenty to a fire engine, to be called the Firemen of the town of Kingston." The act also conferred upon the said trustees power to establish and ordain rules for the government, performance of duty, and behavior of the firemen as such.

Under the provision of that act, the trustees at once made provision for the organization of a fire department to take charge of the engine which they had already procured in the place of the one destroyed at the burning of the village. For that purpose, on the 19th of May, 1797, they appointed Coenradt Ed. Elmendorf captain,

and Henry Eltinge, lieutenant, or second captain, of a fire company to be organized to take charge of the engine.

The trustees at the same time appointed a committee to enlist the number of firemen allowed by law, and give them the proper certificates.

Mr. Elmendorf held the office for about one year, when on the 23d day of May, 1798, he resigned the position; the trustees accepted his resignation, and appointed Nicholas Vanderlyn, Jr., captain of the fire company in his stead.

The fire company thus organized in 1797 disbanded in the year 1802. On the 9th day of June in that year a new company was organized, the requisite number of firemen appointed, and Nicholas Vanderlyn, Jr., commissioned as commanding officer. The fire-engine was then intrusted to their keeping.

It does not appear that at the first organization there were any rules established for the government and discipline of the company; but shortly after the reorganization the following salutary rules were established and promulgated to enforce practice and discipline. Without practice and discipline fire companies at a fire are as much out of their element as raw militiamen opposed to regular, disciplined soldiers in battle. The rules as established were comprised in the following resolutions adopted by the trustees:

“Resolved that Nicholas Vanderlyn Jr who has heretofore been appointed Captain of the Fire Engine Company in this town, or in his absence the next commanding officer of the said company, have power at all times to call out and command every person enrolled in his company, to attend at such times and places as he shall think proper, at least once in fourteen days during the summer season, and once every month during the winter and the rest of the year, to work examine and keep the said fire engine belonging to the corporation in good repair.

“Resolved that in case any person or persons, belonging to his company, shall after due notice given neglect or refuse to attend, at the time and place ordered and directed, by the said Nicholas Vanderlyn Jr, or shall be disobedient to his directions or order, that he or they shall be liable to a fine not to exceed \$1 for every such refusal to be recovered agreeable to law in that case made and provided.”

The trustees had uniformly from the time of their incorporation taken care of the poor of the town and provided for their wants. A law had also, in addition to the provisions of their charter, been enacted by the colonial Legislature in 1770, expressly charging the trustees with the duty of providing for the poor of the town, and, in fact, constituting them the overseers of the poor of said town,

and charged with the performance of the duties enjoined by the then existing laws upon overseers of the poor. Under their authority as overseers they prohibited the bringing of poor persons into the town, and in case any were brought in they at once ejected them therefrom, unless a responsible freeholder of the town became security to indemnify the town against their becoming a town charge. In January, 1786, not as overseers of the poor, but as guardians of the corporate property, they adopted an addition to the town ordinances, prohibiting strangers from becoming residents of the town until they gave security to the trustees that they would not cut any timber upon the commons without leave, or would pay to the trustees £10 for a license.

The question in regard to building an almshouse had been up for consideration several times in the Board of Trustees. At a meeting of the trustees held on the 5th day of November, 1790, the question again came up, when, at request of William Ellsworth, Jr., the following resolution was adopted: "Resolved that the lot of land, known to be the water pond or ploss, on the plains which lies between the house of Abraham Vosburgh, where he now lives, and Col Hasbrouck's house and orchard to the west, and adjoining David Delamater and Wessel Ten Broeck lot, to South west being a triangular piece of land, the whole lot is reserved to build an alms house on, for the use of the corporation." This description covers the lot on which the academy now stands, together with the lots on the west side of Clinton Avenue up to the stone buildings still standing there.

It appears, however, that on the 28th day of January following (1791), they concluded that a more desirable location could be found for the contemplated almshouse, as the Lefferts property was about to be sold, and therefore authorized Mr. Van Buren and Mr. Marius Groen "to purchase the house, barn orchard and upland on the west side of the lane leading to Flat-Bush formerly known to be the property of Jacobus Lefferts supposed to be about ten acres for an alms house for Kingston but they are not to give more than £300 for the same."

The purchase was not made, however. It is supposed because on sale it went beyond their limit.

The question in regard to building an almshouse appears to have rested quietly until the 30th day of January, 1799, when a committee was appointed to inquire and report upon the expediency of building a poorhouse, and with that reference all efforts therefor appear to have ended. Subsequently the lot originally reserved for the almshouse, or, rather, that part thereof lying east of East Front Street, now Clinton Avenue, was conveyed to the trustees of Kingston Academy as the site for a new academy build-

ing, and there the academy now stands, the "ploss" being removed by a drain to the lowlands.

The trustees for over a century had had the guardianship and control of the common property, selling it in small parcels as needed for improvement and cultivation, and the question then became prominent whether they should not surrender their trust in the lands, and parcel them out upon some equitable principle among the *cestui que* trusts, at the same time making provision for the discharge of their duties as almoners to the poor and destitute.

The first proposition on the subject came before the trustees at a meeting held on the 13th day of September, 1799, in the form of a suggestion to convey to such persons as may be entitled thereto, under the terms of the charter, in severalty, a lot in the commons containing not more than thirty nor less than ten acres, to be set aside and kept solely for the growth and preservation of wood. The conveyance to contain a proviso that if any grantee should dispose of the lot conveyed to him, the trustees would be entitled to demand \$2 per acre for the benefit of the poor fund. The proposition was adopted subject to the approval of a majority of the inhabitants. Committees were appointed to visit the different sections of the town, and ascertain the feelings of the people on the question. Thus it appears that the trustees, in order to ascertain the wishes of the people, instead of adopting the uncertain criterion of the ballot, resorted to personal interviews.

On the 30th of June, 1800, a committee which had been previously appointed to report upon the financial condition of the corporation, and make a statement of the annual revenues and contingent expenses, reported that they had found the amount of interest due on bonds and notes,

Rent in arrear 3171 bush. of wheat @ 8/,
733 fowls,

£345 6 6

1268 8

36 13

£1650 7 6

Annual income :

720 bush. of wheat for rent @ 8/, £288

£3600 out at interest, whereof

about £600 are bad debts, 180

About \$200 annual excise, 80

Rent payable in money, 16 17

£564 17

The trustees at the same meeting appointed their speaker, Peter Marius Groen, with Christopher Tappen and Tobias Van Buren, a committee to report a plan for the conveyance of a part of the commons of the town to the inhabitants thereof for the future preservation of the wood.

No definite proceedings appear to have been taken under the last-mentioned resolution, and the matter was left in abeyance until 1803, when at a meeting of the trustees on the 1st day of April in that year, the speaker, Peter Marius Groen, having been at some time theretofore requested by the trustees to prepare a plan and set of resolutions for the sale and conveyance of the lands belonging to the corporation, to the freeholders and inhabitants of the town, reported the following resolutions, which were read and adopted by the board :

“1. Resolved that the Trustees do sell and convey in fee simple, to the persons hereinafter classed and described, all the lands to them granted by their charter of Incorporation not yet conveyed : excepting however that part adjoining the east bounds of the town of Hurley, and extending therefrom to the north side of the Rondout Creek.

“2. Resolved that all heads of families, if he she or they were born within the bounds of the town of Kingston, and are now resident of the same, and are possessed of a freehold estate to the value of £200 or upward, shall be entitled to a 45 acre lot in the Commons, in consideration of \$16.50 to be by them paid on delivery of their deed.

“3 Resolved That the heirs and devisees of such persons, as were born in said town, when the Testators or Intestates possessed a freehold estate of the value of £200 at the time of their death, and when the said heirs or devisees are in possession of the same, and living within the limits of the town aforesaid, at the present time, the said heirs or devisees shall be entitled to a 45 acre lot to be released to them as tenants in common for the like consideration of \$16.50.

“4. Resolved that all and every person born and residing in the town aforesaid, who are not possessed of a freehold estate of the value of £200, but possessed of a freehold not less in value than £100, shall be entitled to a lot of 30 acres in the consideration of \$12.75

“5. Resolved that every head of a family, if he she or they be born in the said town, and now living in the same, or who have gained a legal settlement or are possessed of a freehold, less than £200, but more than £100, shall be entitled to a 30 acre lot in the like consideration of \$12.75

“6. Resolved that every head of a family not born, but now residing in the town aforesaid and have so resided previous to the year 1777 and gained a legal settlement, and are possessed of a freehold estate to the value of £100, shall be entitled to a 30 acre lot, in consideration of \$30.

“7. Resolved that every head of a family, not born, but now residing in this town, and have done so since the said year 1777, and are

possessed of a freehold estate to the value of £100, shall be entitled to a 30 acre lot, in consideration of \$40.

“8. Resolved that after the distribution aforesaid, in case any lots be unappropriated, the same shall be conveyed to the Freeholders born and residing in said town, in ratio of the freeholders hereinbefore stipulated.

“Lastly: Resolved that Christopher Tappen and John A De Witt be and it is hereby agreed by the said Trustees, that they survey and lay into lots of 30 and 45 acres, or as near as may be, all the lands belonging to this corporation, and that they be paid out of the Treasury of this corporation the sum of \$4 for each lot, so to be surveyed, or by them caused to be surveyed, including the drawing of deeds for each respective lot, and for a general map or maps when the whole business shall be completed.”

The divisions were subsequently made, and the lands distributed among the inhabitants and freeholders according to the resolutions. The territory was divided into classes, as follows, as set forth in the balloting or distribution book: Suppies Hook, 11 lots; Clove, 103; Three Mile, 34; Binnewater, 150; Pine Bush, 56; Flat Bush, 68; First class, north of Esopus Kill, 97; second do, 83; third do, 80; fourth do, 70; fifth class west of Cuatsbaan, 64; sixth do, 65; seventh do, 62; northwest class, 100; southwest, 113; west and adjoining Esopus Creek, 12; first class south of Rondout Creek, 54; Huzzy Hill lots do, 22; second class do south of road, 116; do east of road, 24.

It appearing that in the distribution of lots in the commons the inhabitants of the village of Kingston had not fared as well in the quality and character of the lots set apart for them as the residents of other parts of the town, the trustees on the 10th day of January, 1804, “Resolved that the lands reserved by the resolution of the 1st of april then last, between the Kuyek Uyt and the Rondout Kill and bounds of Hurley, be laid out in ten acre lots as a compensation to the inhabitants of the village of Kingston, whose lots have been considered as inferior in quality to the other parts of the town.”

The lands distributed under this resolution are known as the east and west compensation class, as they respectively lie on one side or the other of the road to Greenkill.

And it was also “Resolved that the Inhabitants, residing at or near the village of Saugerfies, be also compensated with a certain portion set apart for that purpose called the ‘Pansie Bergh.’”

The trustees, before the division and distribution of their lands among the people, had set apart a tract of land containing several hundred acres, and reserved the same for the benefit of the university or college which they had hoped to see established there.

That project having failed, and they being still desirous of devoting the same to the cause of education, on the 5th of March, 1804, concluded and "Resolved to convey the same to the Trustees of Kingston Academy," which was subsequently done.*

The ferry across the Rondout Creek connecting the upper part of the town with the lower—that is, the village of Kingston with the part of the town called "Klyne Esopus," was located a short distance above the mouth of the Twaalfskill, at the place which in later years was known as Hamilton's Ferry. It was a rope ferry—that is, a scow capable of holding a double wagon and team, propelled by hand, drawing upon a rope which extended across from shore to shore. That ferry was originally established and furnished by the trustees and owned by them. In 1804, however, when they were completing the disposition of their lands, the then trustees concluded to sell the same, including the house and lot, the scow, small boat, and all the apparatus connected therewith, to James Hamilton for £200. The ferry then went into the hands of the purchaser, and was conducted by him and his family for a number of years, until by the establishment of another ferry lower down the creek, and the change of the course of trade, its value was lost : then it was entirely abandoned.

In the early part of this century party spirit was very bitter between the two factions, Republicans and Federalists, as then called, and was so carried throughout, as well in local as in State and national matters. In the spring of 1804 a very bitter contest was waged in the election of trustees, and the old Board of Trustees, composed of Federalists, was routed, and an entire new board elected of Republicans.

The old Board of Trustees, in addition to the moneys previously on hand, had by the sale and disposition of their lands accumulated quite a fund in the treasury for the liquidation of their debts and the support of the poor.

The new board in the early part of the year do not appear to have done much of importance. On the 12th of April they granted three acres of ground to the Caatsbaan Church, directed six Lombardy poplars to be planted in front of the Klyne Esopus Church, and forty to be planted in Main and Wall streets in the village of Kingston along the fences of the burying-ground attached to the Kingston Church.

On the 13th of April, 1804, they made the following appropriation for a poor man's funeral :

"Resolved that Jon. Hasbrouck let to the family of John Williams deceased, one Gallon of rum—one Gallon of Gin—one dozen small papers of tobacco and 4 dozen pipes, and that Thomas Van Gaasbeek procure a Coffin."

There was a small vacant piece of ground, which had not been disposed of, at a place called Bulken House. The trustees on the 21st of May, 1804, caused that to be surveyed and laid out in six-acre lots, and subsequently sold the same at public auction.

Whether the trustees, upon the near approach of the annual election in March, 1805, saw "the handwriting on the wall" and were determined to annoy their successors as much as possible, or whether they were seized with an extraordinary religious fervor, with the hope of capturing the religious vote, we cannot now do more than conjecture; but the fact exists that as the election was to take place on the 5th of March, 1805, the Board of Trustees on the 2d day of March passed the following preamble and resolution:

"The Trustees, in order to give aid and support to the different churches in this town, for the furtherance of religion, have come to the following resolution.

"Resolved, unanimously, that the sum of £3004 5, of the funds of this corporation, be assigned to the Minister Elders and Deacons of the Reformed Protestant Dutch Church of Kingston; the sum of £1740 19 9 be assigned to the Reformed Dutch Church at Caatsbaan; and the sum of £1261 14 1 be assigned to the Reformed Dutch Church at Klyne Esopus. All of which several sums are to be assigned and transferred, so that the interest arising from the same be appropriated toward paying the salary of a minister or ministers in the several aforesaid churches."

The transfers thus ordered were at once carried out and perfected.

On the 5th day of March the election took place, and the last board were defeated and consigned to retirement.

The incoming board, when entering upon their duties, found themselves face to face with a depleted treasury through the extraordinary liberality and religious zeal of their predecessors, while the poor were to be supported and much corporate indebtedness remained to be discharged.

Kingston village was incorporated by an act of the Legislature passed on the 6th day of April, 1805, and it included so much of the territory of the town of Kingston as was comprised in the following limits: Beginning at the southern extremity of the bridge across the Esopus Creek, and running thence to the east corner of the division line between Jacobus S. Bruyn and Gerrit Van Keuren, deceased; then in a straight line to the intersection of the Twaalfskill and Greenkill roads; thence in a straight line to a swing gate across the Vauxhall Road; thence to the southeast corner of the house lot of Catharine and Magdalen Ten Broeck on the highway, and thence in a direct course to the beginning.

The village was duly organized by the election of directors and

other officers, on the 11th day of May, 1805, when John Van Steenberg, James S. Bruyn, Tobias Van Buren, Philip Van Keuren, and Barent Gardinier were certified to have been chosen directors by the greatest number of votes, and Tobias Van Buren was subsequently, on the 17th of May, 1805, chosen by his associates to be president, and Anthony Dumond was appointed clerk. A full list of the village directors and their presiding officers will be given in the Appendix.

On the 5th day of September, 1805, the village directors passed a resolution requesting the trustees of the corporation to transfer to them the fire-engine.

Accordingly, on the 4th of October, 1805, the trustees, by resolution, gave the fire-engine, with all its appurtenances, and the use of the house near the Court House, in which the same was kept, to the directors of the village.

The directors of the village, on the 19th day of October, organized a fire company to take charge of the engine, consisting of thirteen members, with Nicholas Vanderlyn, Jr., as captain, and Samuel S. Freer as lieutenant.

The board adopted very stringent rules requiring the firemen to turn out periodically for exercise and working the engines, and enforced the order by requiring the foreman to report delinquents. The fines were strictly enforced by the directors, unless a satisfactory excuse was furnished.

On the 20th of September, 1810, the fire department was reorganized and new certificates issued establishing seniority of rank. The new organization consisted of twenty members. Nicholas Vanderlyn, Jr., was the senior foreman and William Brink second.

On the 16th of September, 1816, a meeting of the freeholders and inhabitants of the city of Kingston was held at the Court House in pursuance of notice given by the directors of the village. The object of the meeting was stated to be to authorize a tax to be levied to procure an additional engine, and the meeting authorized \$400 to be raised by tax for that purpose.

On the 19th of March, 1816, the directors authorized the purchase of a new engine for \$500. On the 23d of March they vacated the certificate of Nicholas Vanderlyn as firemen, and appointed eleven additional firemen.

On the 13th of April, 1816, the firemen were reorganized and arranged in two companies, James C. Elmendorf designated as captain of Engine No. 1, and Seth Couch as captain of Engine No. 2, the new engine.

In those days every householder was required to keep a number of water-buckets, made of leather, with his name or initials painted thereon. Whenever an alarm of fire was raised they were either

carried to the fire by a member of the family, or thrown out upon the sidewalk for some passer-by to pick them up. At the fire, under the direction of the fire wardens, the citizens were formed into a line or lines from the most available well or wells or cisterns to the fire-engines, and buckets of water passed from hand to hand to supply the engines, and empty buckets returned in like manner for further supply. The engines in those early days did not have the necessary appliances to feed themselves, but they were then well manned by citizens of mature age, who by frequent practice, as required by the trustees and village ordinances, became conversant with their duties.

The directors of the village of Kingston, as soon as they assumed the duties of their new office, concluded that a night-watch was necessary to sustain the dignity of the village in its new position. But then the point arose, they had no corporation funds, and being just installed into office, and probably, as is usually the case with officials looking forward to a re-election, they did not like to hazard the proposition for a tax. They very soon hit upon rather a novel expedient, which they supposed would accomplish their purpose and give them a first-class reliable watch without pay.

After having had several consultations on the subject, they, at their meeting held on the 1st day of May, 1805, directed their clerk to make out a complete list of all the dwelling-houses in the village, with a blank space for the families living in each, and report the same the next day.

The next day the clerk produced the list. It was then on motion resolved that every house in the village be placed on an equality as to the night-watch, and that the resident or owner (unless it be a widow), as the directors think proper, should perform the duty, thus making each head of a family take his regular turn.

Those liable to duty were then divided into twenty watches, six men to a watch, and a captain assigned to each watch. The number of each watch was assigned by ballot, and the duty to be performed in numerical order.

The time fixed for the commencement of the service was the 1st of June, and the watchman when on duty was to patrol the streets at all hours in the night under the direction of the captain of his watch.

The plan was put into operation, but week after week, at every meeting of the directors, delinquents were reported and fined without improving the service or punctuality of the watchmen. The experiment was continued until the 18th of October, when it was discontinued "until such time as the directors shall otherwise determine." That was the finale, as the directors never did "otherwise determine."

In the early part of this century Kingston was visited with a great affliction in the prevalence of a malarial fever, frequently assuming a typhoid character. It was particularly prevalent in the western section of the village, in the vicinity of Green and North Front streets. It prevailed for several years, increasing in virulence year by year, until the authorities were forced to take action in the matter. They became satisfied that the prevalence of the disease was attributable to the mill-pond attached to Benjamin Bogardus's mill. The mill-pond covered the hollow west of Green Street from North Front Street on the north to a point below the present location of Lucas Avenue on the south. It was fed by two streams, the one coming in from the south and the other from the west.

The village directors in 1806, a little more than a year after the organization of the village, under the powers conferred upon them in regard to nuisances and their abatement, on the 8th day of November passed an ordinance declaring "that the Mill Pond lying in the west part of the village of Kingston, in the possession of Benjamin Bogardus, is a nuisance, and also the brook leading into the same through the lands of Jonathan Hasbrouck Lucas Elmendorf John C Masten and others, up to the South bounds of the tannery of Joshua Du Bois." And the directors further ordained "that the said Pond be drained within thirteen days." They also required the channel of the brook for the full extent to Du Bois's tan-yard "to be cleaned out so as to allow free passage of the water," within the same time, under penalty of \$25 for every forty-eight hours that it was neglected.

The directors encountering some difficulty in abating the nuisance without compensation, on the 19th of March, 1807, called a meeting of the taxable inhabitants, to take into consideration the question of compensating Mr. Bogardus for the loss of the pond. The meeting of the freeholders was held on the 21st of March, and it was then unanimously decided that he should be paid \$500, which sum Mr. Bogardus agreed to accept as a full compensation, and the money was subsequently raised and paid. Thus was a mill privilege swept away which had supported a mill for over one hundred years. The mill-pond is spoken of and mentioned as a boundary in recorded deeds as early as 1686. Before and during the Revolution it was owned by Nathan Smedes, and conveyed by him to Benjamin Bogardus on the 30th of October, 1783.

The directors were correct in attributing the sickness to the effect of the mill-pond, as shown by the happy result, for with the removal of the pond as the cause, and the draining of its bed, the disease disappeared entirely.

In the year 1804 a great fire occurred in Kingston during a

terrific northwest wind. It commenced in the barn of Abraham Bancker, on the north side of North Front Street; it very soon crossed the street and caught the Hoffman barn opposite. The little engine was powerless to stem the tide of such a fire, fanned by such a wind. From the Hoffman barn it caught the Dewaal house, standing next east and in the track of the wind, and that was soon reduced to a smouldering ruin. Such was the force of the wind that burning shingles were scattered over the village in its track, and fires started in many places, which were only prevented from kindling into destructive flames by watchmen stationed with buckets of water, wet carpets and blankets on the roofs. The church roof was on fire, but was extinguished by a young man by the name of Hamilton climbing thereon and tearing out the burning shingles. It was said that trees on the Armbowery, more than a mile distant, exhibited by their burnt branches that even they had been reached by the fire.

This property of Dewaal at that time contained the great and favorite dancing-hall of the place. It was purchased by William De Waal from William Eltinge in 1789. He was a native Hollander and very popular as a landlord. He was one of the few men who could get into political disputes with his guests, and let out volley after volley of oaths upon them, and still retain their custom and good-will. His wife was an excellent, kind-hearted woman, who tried to control him; sometimes she would succeed in silencing him, but frequently her efforts would meet with as little success as they did with the Quaker who was their guest one night. After supper, while sitting around the fire in the evening, Dewaal and the Quaker got into a political dispute. Dewaal waxed warm, and began to let off volley after volley of oaths, etc., when Mrs. Dewaal interposed, saying, mildly, "Waalte! Waalte!" "Yes, yes," he replied in Dutch, "I know what you mean, but the talk of this d——d buttonless 'dunder skint' is too much for me to stand."

He kept a house of entertainment, but not a regular tavern. It was at his house that the Commencement balls, when the academy was in the zenith of its prosperity, were held. When it was rebuilt they added to the attraction of the ball-room by giving it a beautiful spring floor, a great desideratum when *dancing*, contra-dances, etc., and not *walking*, was the fashion. His hall continued the favorite dancing resort as long as it could be procured for that purpose, and until the third decade of this century.

After the incorporation of the village of Kingston and the distribution of the corporation lands, the trustees were vested with little power beside the care of the small amount of funds left after the distribution among the churches and the care of the poor.

In 1811 a law was passed dividing the town of Kingston and

creating therefrom the town of Saugerties on the north, and the town of Esopus, consisting of the territory below Rondout Creek, on the south. The second and third sections of that act provided, that as soon as may be after the first Tuesday in May subsequent to its passage, "All the corporate estate and interest, remaining undivided, of whatever nature the same may be in the Trustees and Freeholders and Commonalty of the town of Kingston or otherwise, shall be and is hereby declared to be vested in the overseers of the poor of the said respective towns of Esopus Kingston and Saugerties, who, after discharging the just debts of the said corporation, shall make an equal division of the residue, and of the poor maintained by the said town of Kingston, among the said towns agreeably to the last tax roll," etc.

The third section required the trustees to make a full transfer and surrender, etc.

The trustees of the corporation refused to transfer in obedience to the law, taking the ground that the law was unconstitutional. They were complained of before the Grand Jury, and at a court of Oyer and Terminer, held in the county of Ulster in the month of September, 1811, an indictment was presented against "Peter Marius Groen, William Swart, Moses Yeomans, Joseph Chipp, Jeremiah Du Bois, John Van Vliet, John E Van Aken, Abraham Fiero, Teunis Myer, William Osterhoudt, Philip Van Keuren, and Jacob E Bogardus the Trustees of the Freeholders and Commonalty of the town of Kingston, for their neglect and refusal to surrender, transfer, assign and deliver the estate and interest vested in them, as such Trustees, to the Poor masters of the several towns aforesaid." The defendants pleaded not guilty.

Afterward, on the 16th of November, 1811, the indictment was brought on for trial before his Honor Justice Van Ness against Peter Marius Groen, one of the defendants, and the speaker or presiding officer of said trustees.

The jury upon the trial found a special verdict, "that the trustees of Kingston owned real and personal property to a large amount in their corporate capacity; that they had been called upon to comply with the act of the 5th of April, 1811, by the poor masters and supervisors designated in said act, and that they by their president, the defendant, had refused to comply with the last aforesaid act because the Legislature had no right to pass such an act."

And they further found "that the said corporation was in existence, and the provisions of its charter were complied with to the passing of the act of 1811, and till the finding of the indictment.

"That they had, since they were made poor masters by the act of 1770, spent more money in support of the poor of Kingston than they had received under said law since the passage of said act.

“That the said trustees refused to comply with said act of 1811 upon the advice of counsel deliberately given to them, that the said act was unconstitutional and void. And that the advice was given to the trustees, of whom the defendant was president, after the respective towns were organized under said act, and before they were requested to transfer their corporate property under said act.

“That if under such facts the trustees were bound to assign the property held by them under the charter, then they find the defendant guilty.

“But if they ought not to have done it, and under the advice of counsel were justifiable in not doing it, then the defendant was not guilty.”

Such verdict of course sent the case up to a higher court to pass upon the constitutionality of the law.

The people stood by the indicted trustees, and re-elected them annually, until and including the election in the spring of 1815. After that, and prior to the election in the spring of 1816, the courts having adjudged the act of 1811 constitutional, the entire Board of Trustees, with the exception of William Swart, refused to run for a re-election, leaving it for their successors to do that which they had fought so strenuously against doing. An entire new Board of Trustees, except only Swart, was elected at the annual election in March, 1816, consisting of John Chipp, Peter R. Decker, Solomon Degraaf, John Hendricks, Henry Jansen, Christopher C. Kiersted, Tjerck Myer, Abraham Myer, William Swart, Abraham Snyder, Henry H. Schoonmaker, and Henry Schryver.

The newly-elected trustees proceeded to wind up the affairs of the corporation, and on the 13th of December, 1816, they adopted the following preamble and resolution :

“The debts against the trustees having been paid, as far as the moneys by them collected extended, Resolved unanimously, that we now by virtue of the act of the Legislature of the State passed 1811, assign the remainder of the corporate funds to the supervisors and overseers of the Poor of the respective towns of Esopus Saugerties and Kingston.”

Thereupon such officers of the said respective towns appearing before the Board of Trustees, an assignment was executed in pursuance of the foregoing resolution, and was at once delivered, together with the key of the “kos,” or, in other words, treasurer’s box.

Thus the trustees of the freeholders and commonalty of the town of Kingston, after a corporate existence of nearly one hundred and thirty years, were permanently and finally dissolved. It does not appear proper that the dissolution of such a corporation, hold-

ing the reins of government and title of property through so many eventful years, should be passed over without some brief comment. The *personnel* always appear to have been selected from among the leading citizens of the town. Whether in resistance to tyranny at an early day, or later in the effort to procure freedom and independence through the conflict of arms, they were ever found using and contributing their resources and means for the triumph of the right. Education and religion invariably, from the beginning to the end of their corporate existence, received their fostering care. A select portion of their number, until the adoption of the State Constitution, wielded all the powers of a local court of limited jurisdiction.

In the disposition of the corporate real estate good judgment was uniformly exhibited by them within the corporate limits ; there was no grant of an undue number of acres to any particular individual, and the final distribution in 1804 savored especially of equity and justice.

Since their incorporation times have changed, and people and governments have changed with them ; and although with such change an incorporation such as that was would be out of place now, in its day it was productive of much good, and may praise and thanks be accorded to its memory !

In 1816 the county of Ulster procured authority from the Legislature to build a new Court House and a fire-proof county clerk's office in Kingston upon the site of the old building. Accordingly, the old Court House was soon torn down, and in process of time a new building arose in its stead very much of the same model, but larger and more commodious than the old one. The building is unquestionably well built ; the work was done by the day, and of course the walls went up with deliberation ; there was no undue haste, as it was several years in building, and the walls had abundant time to settle as the work progressed. In time, however, it was finished, and it still stands as the temple of justice of the county, having undergone a few changes and an enlargement.

An extremely violent tornado accompanied with hail occurred near the village of Kingston on the 11th of June, 1820, the effects of which were more particularly noticed at the Souser place, about five miles from Kingston, just beyond the Sawkill Bridge. It is thus described in the *Plebeian* of the 17th :

“ About half past one O'clock the clouds were apparently gathering, and looked black and portentous, in two opposite directions—north east and south west, and approximated each other, until they came in contact, between the homesteads of Mr John Souser and Mr John De Myer ; the former being about four and a half miles, and the latter about five miles north of this village, where it

spent its greatest force and fury—unroofing part of Mr Souser's dwelling house, demolishing the whole of his large barn, at least fifty feet long crushing timbers, plank and materials to atoms; leaving nothing but four of the framed supporters standing; and what is remarkable, wafted a piece of timber, at least thirty feet long and six or more inches square, from the barn over the house, prostrating part of the chimney and lodged about one hundred yards from the original location. We should suppose that Mr Souser's damage could not be less than \$400, considering that hail stones fell during the storm of about half the size of a hen's egg, and destroyed much of the grain on his fields.

“The east half of Mr John De Myer's large new barn was entirely unroofed and much injury done to his grain and herbage. In the latter respect many of his neighbors have also severely suffered. Fruit and other trees have been torn up by the roots and left vestiges of ruin and desolation, truly deplorable to behold.”

CHAPTER XXII.

RISE OF PARTIES—ELECTION AND DEATH OF GOVERNOR CLINTON
—REFERENCES TO WAR OF 1812, AND CONCLUSION OF PEACE.

AFTER the final ratification of the treaty of peace and the acknowledgment of our independence, the most important and momentous questions came up for consideration. The people had relieved themselves from foreign tyranny and control, now they must substitute and adopt a plan of general government which should not only insure to them the freedom for which they had fought, promote the general welfare, and secure the permanent union of the States, but which should also be vested with sufficient power to maintain itself, defray its expenses and debts, and exercise the necessary functions of a government in its intercourse with foreign nations. The consideration of these questions led to much conflict of opinion. Some favored simply the enlargement of the powers of the Confederacy, while others advocated the creation of a strong national government. These questions produced the organization of the two great political parties of the country.

General George Clinton, who was then the governor of the State, advocated the enlargement of the powers of the Confederacy. Alexander Hamilton, on the other hand, advocated a strong federal government. Each was supported by powerful associates.

Congress called a convention of the States to recommend a plan of general government to be adopted by the States. The New York Legislature, by a large majority, favored an enlargement of the powers of the Confederacy, and were opposed to the creation of a strong federal central government. The Legislature appointed three delegates to the convention, but expressly limited their powers by declaring specifically that they were appointed "for the sole and express purpose of revising the Articles of Confederation, and reporting to Congress and the several Legislatures, such alterations and amendments therein as shall, when agreed to in Congress and confirmed by the several States, under the Federal Constitution, be adequate to the exigencies of the Government, and preservation of the Union."

The three delegates appointed under that restrictive resolution were Robert Yates, John Lansing, Jr., and Alexander Hamilton.

Yates and Lansing representing the sentiments of a majority of the Legislature opposed to the formation of a new government, while Hamilton was the strong and leading champion of a strong federal government.

At the meeting of the National Convention, after considerable discussion the majority decided to propose an entire new Constitution, which did not amend, but abolished the Articles of Confederation. Under the stringent provisions of the resolution appointing them, Messrs. Yates and Lansing deemed that the formation of a new Constitution was beyond their powers, and withdrew from the convention. Hamilton remained, and was the strong and leading mind in the formation of that instrument.

The Constitution, as reported by the convention and submitted to the several States for adoption, contained a provision that it was to go into operation whenever adopted by nine of the confederated States. So that, after such adoption, the remaining States must necessarily come in, or withdraw from the Union and maintain a separate, independent government.

The Legislature of New York met in the winter of 1788, and at that session, on the 17th of January, a resolution was offered by Mr. Egbert Benson, of New York, which made provision for holding a State Convention, in pursuance of the recommendation of Congress, to decide upon the question of the adoption of the new Constitution. Mr. Cornelius C. Schoonmaker, of Ulster, proposed a preamble to the resolution, as follows: "Whereas the said convention of the States, instead of revising and reporting alterations in and revision of the Articles of Confederation, have reported a new Constitution for the United States, which if adopted, will materially alter the constitution and government of this State, and greatly affect the rights and privileges thereof Therefore," etc. The preamble was not adopted, but the resolution passed both Houses, and provision was made for the election of delegates by the people. The election was held in the following spring, and of course the only issue raised at the polls was for or against the adoption of the Constitution. The election resulted in the choice of a large majority opposed to its ratification.

The delegates elected from Ulster County were John Cantine, Ebenezer Clark, Governor George Clinton, James Clinton, Cornelius C. Schoonmaker, and Direk Wynkoop, all anti-Federalists, and opposed to the new Constitution unless materially amended.

The New York Convention met, and the supposed or alleged merits and demerits of the proposed Constitution were discussed at great length and with much ability by the leading men in the convention. The opposition to its adoption claimed that the rights of the States and the individual rights of the people were not suffi-

ciently protected. That discussion was in progress when news arrived of its adoption by the tenth State, which gave it life and rendered it operative. The alternative was then presented to the convention either to adopt it and remain in the Union, or reject it and stand forth as an independent State. Many still adhered to their opposition, not because they desired to withdraw from the Union, but they believed that if New York took that independent stand the other States would amend the Constitution so as to remove the ground of their opposition.

The discussion of the various provisions of the Constitution, and its alleged shortcomings, was continued in the convention, and various proposed amendments and a Bill of Rights adopted. Then by a majority of three votes a resolution was passed declaring the Constitution ratified by the convention "in full confidence" that a convention shall be called and convened for proposing amendments.

Believing that the true spirit of a convention and its members may be more readily and correctly ascertained through contemporaneous and confidential written communications than simply by its reported proceedings, there are inserted here copies of some original letters in the possession of the writer, two of them written by a member of the convention to one of his political friends and constituents when the convention was in session, and extracts from another written by a gentleman of prominence residing in Kingston when in attendance for some days upon the sittings of the convention:

"POUGHKEEPSIE (June) 25th 1788

"DEAR SIR

"When you left us yesterday we expected that on this day great and interesting debates would have taken place in the convention on the fourth section of the first article of the proposed Constitution—but I have the pleasure of informing you that the section was read, the amendment proposed to the clause by us was also read and is in the words following to wit 'Resolved as the opinion of this Committee that nothing in the Constitution, now under consideration, shall be construed to authorize the Congress to make or alter any regulation in any State respecting the times places and manner of holding elections for Senators and Representatives unless the Legislature of such State shall neglect or refuse to make laws or regulations for the purpose, or from any circumstance be unable of making the same, and then only until the Legislature of such State shall make provision in the premises. And that nothing in this Constitution shall be construed to prevent the Legislature of any State to pass laws, from time to time, to divide such State into as many convenient districts as the State shall be entitled to elect Representatives for Congress, nor to pre-

vent such Legislatures from making provision that the Electors in each district shall choose a citizen of the United States, who shall have been an inhabitant of the district for the term of one year immediately preceding the time of his election, for one of the Representatives of such State.' The supporters of the Constitution without any opposition worth mentioning acquiesced in our amendment. We then proceeded further in the consideration of the Constitution until we came to the first section of the second article which gives Congress power to levy and collect taxes duties imports excises etc. On this section I suppose much will be said to morrow

"Am Yours etc

"CORS C SCHOONMAKER

"To Peter Van Gaasbeek."

"POUGHKEEPSIE July 19. 1788

"MY DEAR FRIEND

* * * * *

"Since leaving you two other propositions have been brought forward one by Mr Hamilton for an unconditional adoption attended with recommendatory amendments, the other by Mr Smith for an adoption for a certain number of years (four was spoken of) at the end of which should a convention not have met to consider the proposed amendments this State should be at liberty to withdraw themselves from the Union; so that three propositions are now before the convention

* * * * *

"ABM B BANCKER

"Since writing I find our anti-Federal Party have determined to stick to their first plan. Of course Mr Smith withdrew his last proposition, and then the question stood between Mr Hamilton's unconditional and Mr Lansing's conditional ratification when upon a division there appeared 41 in favor of the latter and 18 against it. . . . They are now proceeding to consider the bill of rights, and I expect will adopt part of both as may appear best. Which I expect will also be the case both with the explanatory and recommendatory amendments; the conditional will be held to by a considerable majority. . . .

"A B B

"Peter Van Gaasbeek"

"POUGHKEEPSIE July 25. 1788

"DEAR SIR

"After a long and tedious discussion of the proposed Constitution by paragraphs and proposing of amendments thereto, the result of the deliberation of the convention will be an adoption of the

Constitution on the principles of expediency—that ten States have adopted it, and the government will be put into operation, and therefore if the adoption is not speedily made in this State great difficulties and embarrassments will ensue etc, from these considerations being so strongly impressed on the minds of some of the members in the convention, (in whom we have had great confidence) by the weight and influence of the federal party. After having lost our security, intended by our first proposition against the exercise of certain powers by the General government in this State, until our amendments proposed to the Constitution were submitted to a convention of the States, being obliged to retreat from the same concluded that we should retain the restrictive clauses in confidence that the General Government will not exercise the power therein restricted until a convention shall meet to take them into consideration, which was yesterday agreed to by the convention. We then, as a farther security to obtain a convention, brought forward Mr Smith's plan for an adoption of the Constitution for — years, and if the amendments proposed should not in that time be submitted to a convention of States this State should reserve a right to withdraw itself from the Union. This, although not supposed to be of great importance by us, has been very warmly opposed by the Federalists yesterday, and has this morning been determined on by the convention; the proposition was lost by a vote of 23 against 31 among which majority are Smith and Platt who have most strenuously heretofore advocated the principle, and are now convinced that it will not do at all.

“When you consider the manner in which we have lost both the propositions, which we considered as a restrictive, qualified condition in the adoption, you will readily perceive that the Federalists have fought and beat us from our own ground with our own weapons. The greatest security we will retain in the adoption of the Constitution will, in my opinion, be our declaration of rights, and explanations of some ambiguities in the Constitution expressed and declared in strong terms. Upon the whole the convention are now about to read the whole of the ratification and amendments proposed to the Constitution for their approbation to be added to and reported. I believe it will be our duty and our wish to support and maintain the freedom and independence of the People of this State on the final question of the adoption of the Constitution. I must however add that altho' the Federalists have out manœuvred us, they do not think that they have got a great victory; they come forward very freely to declare that they will join with us in applying to Congress, immediately after the organization of the government, to call a convention to take into consideration the amendments proposed by this as well as the other

States to the Constitution, which will I suppose be done before the convention rises. While I was writing the above the question on ratification was debated and is determined agreeably to the division enclosed

“Yours to serve

“CORS C SCHOONMAKER

“*To P Van Gaasbeek*”

The preference given by many of the statesmen of that period to amend the Articles of Confederation rather than the creation of a central federal government arose from their great anxiety for the full protection of the rights of the States and of the people, and their great fear of the absorbing and aggressive power of a central government untrammelled by strong restrictive clauses. They felt that the phraseology of the instrument, as proposed, gave room for liberal constructions, which might act oppressively upon the States and the people, and by legislative or judicial construction concede powers which never were intended to be granted.

It was in behalf of those endangered rights that New York statesmen, in the Constitutional Convention, fought for the adoption of amendments and a declaration of rights. The action of those feeling thus was vindicated by the unanimous adoption in the New York Convention of a resolution recommending a general convention for the consideration of amendments, and the further recommendation of sundry amendments to that instrument by the first Congress under the Constitution and at its first session, preceding the same with the following preamble :

“The conventions of a number of the States having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of the powers, that further declaratory and restrictive clauses should be added, and as extending the ground of public confidence in the government will best insure the beneficent ends of the institution. Resolved,” etc.

And finally the adoption by the different States of those proposed amendments, so that they now are a part of the federal Constitution, and form the grand bulwark in that instrument for the protection of the rights of the people and the States against central aggressive power. It is not believed that there is now a single statesman or man of intelligence in the land who would be willing to have those amendments blotted from that instrument. Their existence vindicates the wisdom and patriotism of those through whose demand they were procured.

Ulster County stood by and sustained its representatives in the course taken by them in the convention, and signified its approval by re-electing them from time to time to posts of honor and dis-

tion. Of George and James Clinton mention will be made hereafter ; of the others, four in number, particular mention will be made here.

John Cantine served his constituents as a member of Assembly from 1779 to 1789 inclusive, as a member of the State Senate from 1790 to 1797, and as a representative in the Eighth United States Congress under the Constitution.

Ebenezer Clark served as a member of Assembly from 1786 to 1790 inclusive, and of the State Senate from 1797 to 1801.



Cornelius C. Schoonmaker

Cornelius C. Schoonmaker was a representative in the Second United States Congress under the Constitution from 1791 to 1793, and he was continuously a member of the Assembly from 1777 to 1790, and again in 1795, until his death in 1796.

Derick Wynkoop, the other representative, served his constituents as judge of Ulster County from 1783 to 1793.

Notwithstanding the hesitancy with which the Constitution had been adopted, still, after its actual acceptance by the requisite number of States, including the State of New York, it was hailed

with satisfaction by the people. It was looked upon as the harbinger of a settled, stable government, and as security for the enjoyment of that liberty and freedom for which they had so freely fought, bled, and suffered. New York City was specially conspicuous in its rejoicing. On the 23d day of July, 1788, its adoption was celebrated in New York by a wonderful pageant, comprising over five thousand people in the procession, and in which many trades and mechanical appliances were represented on wheels, closing with a banquet at the country-seat of Nicholas Bayard, prepared for six thousand people, under a pavilion erected for the occasion, covering an area of six hundred by eight hundred feet. The wonderful enthusiasm is manifest from the fact that it was all arranged for and got up in the space of four days.

As previously suggested, the constitutional question and the differences of opinion in regard thereto led to the organization of the two great political parties in the Union. They first ranged as Federal and Anti-Federal. In a short time thereafter the Anti-Federals assumed the name of Republicans. After that the names of parties changed from time to time ; but in all those changes, in designation Clintonian and Bucktail, Loco-foco and Whig, Democratic and Republican, or others arising from minor or temporary or local questions and issues, the fundamental principles of the division have remained the same.

Prior to the adoption of the federal Constitution George Clinton had been elected governor of this State for four successive terms substantially without opposition. Afterward in 1789 he was opposed by Robert Yates, the nominee of the Federal Party, and Governor Clinton was re-elected by only 429 majority. The county of Ulster saved and secured his election by giving him 1039 votes against only 206 for his opponent. The majority of the Legislature elected was Federal.

At the next election, in 1792, his Federal opponent was John Jay. The contest was very close. Governor Clinton was elected by a majority of only 108. The votes of Otsego, Clinton, and Tioga were rejected and thrown out of the canvass on account of gross illegalities and informalities. In 1795 Governor Clinton declined to run again for governor, and then John Jay was elected, and was again re-elected in 1798.

George Clinton was again nominated in 1801, when he was elected over Stephen Van Rensselaer by a majority of nearly four thousand. In 1804, about the time his gubernatorial office expired, he was elected Vice President of the United States, receiving the same number of electoral votes as Thomas Jefferson received for the Presidency. He was re-elected for a second term, and died while in office and at Washington.

Thus terminated the public career of General George Clinton, the only citizen of Ulster County who has ever graced both the gubernatorial and Vice-Presidential chairs. He was born in the lower part of Ulster County; a lawyer by profession, in 1759 he was appointed county clerk of the county of Ulster by the then colonial Governor Clinton, who was said to have been distantly connected. That office he retained during his entire military and gubernatorial career. The duties were principally discharged by his brother-in-law, Christopher Tappen, who was eventually designated as his successor.

He was one of the earliest and firmest friends of the American cause. He withstood with all his powers the encroachments of royalty and tyranny, and early took the field in defence of the rights of his country and of liberty. During the long Revolutionary struggle he was untiring in the discharge of his duties, and commanded the confidence and approval of Washington. Possessed of great decision of character, a clear mind, and great wisdom in counsel, he aided greatly in bringing his State and his country to the enjoyment of a fixed, wise, and noble government.

A great deal of his time when not absent on duty was spent in Kingston. He availed himself of the benefit of the Kingston schools for his rising issue. He was contemplated with pride by Kingstonians as no stranger, but a frequent visitor and an occasional resident of the place.

About the same moment that our celebrated Vice-President breathed his last his distinguished brother, a hero of the entire Revolutionary War, followed him to the last and eternal abode.

These two distinguished brothers were the sons of Colonel James Clinton, who emigrated from Ireland about 1731 and settled in Hanover Precinct, located in the lower part of Ulster County, now Orange. Both those brothers early exhibited a predilection for military life; both were men of talent and highly educated. Under their father as colonel they served in the expedition against the French which captured Montreal and accomplished the conquest of Canada. They both early entered the American contest for freedom, and both served their country with great distinction. George, as we have seen, was early called to serve his country and his State in the more peaceful but not less important field of politics and civil administration. James continued in the military service during the entire Revolutionary struggle. As colonel of the Third Ulster Regiment he was with Montgomery when he fell, and participated in all the brilliant achievements, as well as hardships and sufferings, of that celebrated but unfortunate campaign. On his return he entered the Continental Army and was rewarded with the commission of brigadier-general in that service. He served

throughout the war with great distinction, and it was not until the final gun was fired and peace and liberty proclaimed throughout the land that he laid aside his war trappings and returned to the walks of peaceful life.

Early in life he married Mary, the only daughter of Egbert De Witt, of Wawarsing, Ulster County; the only issue of that marriage was De Witt Clinton, whose name is a household word, whose fame is bounded by no county, State, or country, and is linked imperishably with the great internal improvements of our State.

James was occasionally called from his retirement by his fellow-citizens in different representative capacities. He was a member of the convention of this State to pass upon the adoption of the United States Constitution, and afterward served his constituents in the State Senate from 1789 to 1792, and in the Assembly from 1798 to 1801. Eventually, as above stated, he died as he had lived, honored by all who knew him.

Party feeling in the early days of the republic between the Republicans and Federalists became extremely bitter and personal. Many a fight in Kingston was the result of a canvass, and the Court House yard and the street, at the corner of Maiden Lane and Fair Street, were witnesses of many a bitter fray and pitched battle. The headquarters of the contending political parties were located at the opposite corners of those streets.

A story has frequently been told of the meeting of two citizens opposed in politics; one was in the wagon returning home from a political gathering, and the other on foot. The footman asked the other "how it had went." The other, stopping his horses, replied, "Come here and I will tell you." He came, but as soon as he was within reach the rider up with his fist and knocked him down, saying, "So it did went," and drove off.

This spirit had its ferment and explosion at the periodical return of caucuses and elections; at other times quiet reigned, and the citizens, in the even tenor of their way, pursued their ordinary avocations by the transaction of their customary business and the care of their small farms in the vicinity of the village. Although the Federalists, with their party, were opposed to a declaration of war against England, still when the time came that the administration at Washington felt that the outrages committed by England against our country could no longer be endured, and that forbearance ceased to be a virtue, and declared war against England, the citizens of Kingston stood ready to support their government against the foreign foe, and to send forth their quota and whatever might be necessary to maintain their country's rights, and they were soon called upon to furnish troops for the front.

A regiment under Colonel Hawkins, then a lawyer residing in

Kingston, was early mustered into the service and ordered to Staten Island to cover New York and the fortifications in the Narrows. That regiment was the color regiment in the brigade stationed there. The enemy made no approach to that point, and the troops were not drawn into any actual engagement.

This place had its quota of men on the ground for the protection of New York during the entire contest, and some were on duty at Plattsburg.

In 1814, after the capture of Washington, great alarm was aroused throughout the country, and the administration deemed it necessary largely to increase the forces for the defence of New York and its harbor. This led to an order, dated the 29th of August, 1814, emanating from headquarters, directed to General Frederick Westbrook, of Ulster County, for an immediate levy of five hundred men from his command for the defence of that harbor. The order was promptly complied with, and on the 7th day of September, 1814, in obedience thereto, between five and six hundred militia from General Westbrook's brigade embarked on board of the sloops at Kingston Landing, for their place of destination near New York. This call embraced all the citizens of Kingston liable to military duty, as alleged by the village newspapers of the day. The paper recording the embarkation adds, in reference to the soldiers when leaving, that "their apparent cheerful obedience and devotion to their country's claim repressed all sorrow and struck dumb all grief."

The Kingston papers of September 6th, 1814, contain a notice calling upon "the inhabitants of Kingston and neighboring towns, who are exempt from military duty, to contribute one day's labor in cutting and preparing "fascines" to be forwarded to New York for the fortifications, and potatoes and other vegetables for the troops."

On the 8th of September, 1814, a meeting of the citizens of the town of Kingston was held at the Kingston Coffee House. Conrad Ed. Elmendorf was elected chairman, and Christopher Tappen, Jr., secretary. After some remarks by John Sudam, Esq., the chairman and secretary, together with Abraham Hoffman, Moses Yeomans, and Conrad J. Elmendorf, were appointed a committee on resolutions. After some deliberation they reported the following:

"Resolved That the safety and independence of our country in the present alarming crisis consists in union of sentiment and union of exertion.

"Resolved that John Sudam Daniel Brodhead Junior Henry Jansen Seth Couch Jacob Ten Broeck Moses Yeomans and Conrad J. Elmendorf be a committee of defence and correspondence for

the County of Ulster, to co-operate with similar committees in the Middle District. Also that they receive and transmit such donations in money or vegetables as may be offered by towns or individuals for the use of the Militia of Ulster County in service at New York."

They further recommended the appointment of relief committees in the several towns of the county.

The militia were discharged and returned home, December, 1814. The *Plebeian* of Tuesday, the 13th of December, says: "Capt Peter Van Gaasbeek's company returned here on Saturday morning last in the Steam Boat Paragon, in good health and spirits, from a tour of three months' service in the defence of New York. They were the last of the troops from this county who were discharged. The whole are now again with their families and their friends and well satisfied with the treatment they received from the public while on duty."

On Wednesday evening, the 17th day of February, 1815, the village of Kingston was elegantly illuminated, pursuant to the recommendation of the president of the village, "in demonstration of the general joy on the return of the blessings of Peace."

The early effect of the war was injurious, not to say disastrous, to the monetary interests of the country. It alike affected the national and State administrations, as well as the people. The United States Bank had ceased to exist, and there was no national bank currency. The limited amount of specie in the country was withdrawn from circulation and either hoarded up or exported to supply the demands of commercial transactions. The Government was unable to collect its revenue in specie, or procure it on loan either at home or abroad. Great Britain then controlled the money market of the world. Thus a financial crisis was produced, which necessitated the stoppage of specie payments by the banks and the flooding of the country with irredeemable promises to pay by the banks, and "shin plasters" for the fractional parts of a dollar were issued for convenience by merchants, shopmen, and traders of almost every description. To supply the place of such irresponsible issues of fractional currency, the village directors authorized the issue, to be signed by their president, of a large amount of small bills, which soon became the fractional currency of the village and vicinity, and which were subsequently and promptly redeemed when a return to specie payments dispensed with their use and necessity.

CHAPTER XXIII.

IMPROVEMENTS—TURNPIKES AND TRAVELLING CONVENIENCES—
NEWSPAPERS.

AFTER the close of the Revolution and the establishment of a permanent form of government, the citizens of Kingston settled down to their ordinary occupations, endeavoring to recover from the great losses they had sustained as the purchase price of liberty. Some had previously rebuilt their houses, others had done so only partially, making a portion only of the original building tenable, and others again, being entirely ruined financially, made no effort to rebuild, but left the ruins to crumble and waste away.

About the commencement of the nineteenth century a spirit of improvement appears to have aroused some of the inhabitants having spare funds to erect some stately residences. They were all erected, it is understood, within the period of a few years, and were generally built upon very much the same plan, as can be seen by noticing the square-roofed houses still standing. First the Lucas Elmendorf house, in Green Street opposite the junction of Crown. Next the house built by Jacob Tremper (the Ostrander house), in Green Street nearly opposite Main. Next the house built by Conrad E. Elmendorf (the Bruyn house), corner of Pearl and Main streets. The house built by Edward Elting (the Hermance house), corner of Maiden Lane and Fair Street; the Jansen, now Hardenbergh, house, corner of John and Crown streets, and the house built by John Tremper (now owned by estate of Mrs. M. Schoonmaker), at the head of Clinton Avenue. About the same time were also built, but upon different models, the Jacob Ten Broeck homestead, afterward Peter G. Sharp's, on Albany Avenue, and the Van Buren house, at the head of St. James' Street. There were a very few other buildings erected within the village during the first two decades of this century, but those enumerated are the principal ones.

Prior to the year 1790 there was no bridge across the Esopus Creek at Kingston, and the communication with Brabant, the neighborhood across the creek, was through what is now called Frog Alley, leading to a fording place in the creek. In January,

1790, the citizens of Kingston had a public meeting on the subject of building a bridge across the creek near the fording place, and appointed a committee to raise funds by subscription for that purpose. The committee called upon the trustees on the 5th day of February, 1790, to ascertain what they would contribute, in behalf of the corporation, for that purpose. The trustees, by a majority vote, agreed to grant £100 upon the same footing with individual subscribers.

In October of the same year it was found that the sum raised was not sufficient to complete the bridge. The committee then made another appeal to the trustees. The trustees requested them to proceed and raise what further sum they could by subscription, and if they still fell short they would advance what was necessary, not exceeding, however, £75.

Immediately after the completion of the bridge across Esopus Creek a question arose in reference to the width of the road, which had thereby become necessary across the rich lowland flats, and the difficulty and expense of the fencing and the subsequent maintenance thereof, by reason of the overflow of the land by every considerable freshet in the creek. Prior to that time there had only been a narrow neighborhood road or track across the lowland. The main road from Kingston north at that time passed up the present Albany Road, on the east side of the creek, and crossed it at the fording place near the mouth of the Sawkill, which avoided the great lowland flats entirely.

The Legislature was appealed to, and in March, 1791, a law was passed authorizing the Commissioners of Highways of the town of Kingston to lay out such common road or roads across the lowlands as they might deem expedient, limiting the breadth thereof to two rods, and providing for the erection of so many swinging gates across the roads as they might deem necessary to be built, kept, and maintained at the expense of the town.

The route of the contemplated road to be built by the Ulster and Delaware Turnpike Company, referred to particularly on a subsequent page, passing over said bridge, it was adopted and taken as a part of their road. In 1804, after the location of their road, the said company replaced the old bridge by a new one, which was put up by Marshal Lewis, their builder, for them. Both the above-named bridges were uncovered. The latter one was painted red, and was usually designated as the red bridge.

The latter bridge stood until March, 1818 (not January, as stated on the bridge tablet), when it was carried away by a freshet succeeding a most remarkable winter—a winter recorded as colder than any other in twenty years, and burdened with an unusual amount of snow. The thermometer was recorded on the 11th of

February as ranging thirty-two degrees below zero. At New Orleans sleighs were seen driving through the streets on the 12th of January. The Potomac opposite Alexandria was frozen over on the 9th of February. The west part of Long Island Sound was entirely closed by the ice, and the mail was carried over from New Jersey to New York on the ice. About the 1st of March the weather became very mild. That was succeeded by excessive rains on Tuesday, the 3d, which at once raised the streams to such an extent throughout Kingston and the adjacent country that scarcely a bridge was left standing in the county. One half of the Kingston Bridge on the Ulster and Delaware Turnpike, with the stone abutment underneath, was demolished.

That bridge was replaced during the same year by another built under the superintendence of George Eddy, Henry H. Schoonmaker, and Johannes M. Van Keuren, designated as commissioners by act of the Legislature to superintend the building thereof. The cost was defrayed by assessment upon the taxable property of the town. It was a covered bridge.

The attention of the business citizens of Kingston was early attracted to the necessity of opening a thoroughfare for the trade of the interior. Turnpikes were then all the rage throughout the country, and incorporations for their construction in almost every direction were being granted by the Legislature. Citizens of Kingston, moving in the general current, in 1802 procured an act of incorporation for the Ulster and Delaware Turnpike Road, which was followed by the incorporation of branch roads for its extension to different localities. That road was located in a northwesterly direction from the village of Kingston to the Delaware River, through the towns of Hurley, Woodstock, and Shandaken in this county. From thence by its branches it was contemplated to extend through Middletown, Delhi, and Walton in Delaware County, and reach what was then called Jericho, in Chenango County, a distance of one hundred and four miles. Much benefit was anticipated from the building of that road, and so sanguine were its projectors in regard to it, that by the charter their dividends were limited to ten per cent annually. The people seconded the project with great zeal and vigor. The trustees of the corporation, too, gave it their helping hand, which body had ever shown itself ready to promote the interest of the place, and in August, 1803, authorized the subscription and purchase in their name of one hundred shares of the capital stock in the road.

The projectors and directors in the road, however, did not find its construction such easy sailing as they anticipated. Before its completion they were obliged to struggle and fight their way through great difficulties and pecuniary embarrassments. They

met the same experience which is frequently encountered by enterprising characters endeavoring to carry out projects for the public good, to find those in the community who were best able to bear the expenses, and were in a situation and business to profit most by the improvement, content to stand aloof and see the willing ones suffer and struggle to accomplish the desired end, while they, clutching their money-bags with a grip as of iron, lifted not as much as a finger to aid in the struggle.

The road was finally completed on the west side of the Hudson from Columbus Point through Kingston and over Esopus Creek westward at an average expenditure of \$1000 per mile. The directors had also expended several thousand dollars in the purchase of the right of way for the extension of the road eastward from the river through Rhinebeck to the State line. But that end of the road was abandoned, and its construction never attempted. The road on the west side of the river passed inspection, and gates were authorized; but it was loaded with debts which the stockholders were unable to pay. The income of the road was not sufficient to keep down the interest of the debt and pay the expenses of superintendence and repairs. The stockholders then enjoyed the simple satisfaction of seeing it traversed regularly the whole distance by the mail-carrier, and daily by the public at large, without relief to its pecuniary embarrassments or rendition of any profit to themselves. Eventually, after much struggling, it was nearly all sold, surrendered, and districted.

There were some reasons connected with the settlement of the territory through which the road passed which operated strongly against its financial success. The pecuniary prosperity of such an undertaking requires the support of a thriving, industrious, and enterprising population on its borders. Nature, in the arrangements and structure of the territory through which the road passed, had done much which under other circumstances might have served to encourage agriculture, manufactures, and other industrial pursuits, and thus favor the success of an enterprise of that character. But in the settlement of a large part of the territory through which the road passed the landlords owning the soil, by the adoption of some of the old remnants of feudalism in the tenure of the land by their tenants, reared insurmountable drawbacks in the way of the prosperity of the inhabitants, and consequent success of the road.

The turnpike traversed only a very few miles before it run into the Hardenbergh Patent, and that part of it in which the inhabitants held under "life leases," the worst and most forbidding of all holdings for the prosperity of any country. No matter how much or how diligently a man worked and toiled under such a tenure for the improvement and betterment of his place, he knew it was

not for the benefit of his family, for the lapse of a life at any moment might, under his lease, carry it all into the pocket of his landlord. No farming community can ever prosper where the incentive is to get everything you can off from the land and put nothing on.

The next stage after passing the tenantry was the vicinity of the Delaware River. There nearly the entire population of the country consisted of lumbermen, who were constantly engaged in lumbering and getting their logs and lumber ready for market, raising scarcely enough upon their lands to feed their families and their stock. They were constantly watching for a freshet to prepare their rafts and launch them into the foaming current for Philadelphia. That furnished no income to the road, and besides drew the people to another market. The writer once heard an eminent Sullivan County counsel, in the argument of a motion to put off the trial of a cause on account of the absence of witnesses, aver that no subpoena could hold a witness from taking advantage of a freshet; that if one came in the midst of service on the Sabbath the minister would leave the pulpit to start his raft and take advantage of the flood.

In February, 1818, Peter Marius Groen, William Tremper, Abraham Hoffman, and their associates, president, directors, etc., of the Ulster and Delaware Turnpike Road Company, gave notice of application for a reorganization of the road, change of name to the "Kingston Turnpike Company," creation of a new capital stock of \$40,000, and cancellation of the old stock to the extent of that sum, and provision for rebuilding the road, establishing toll-houses, etc.; but nothing was accomplished.

It appears from the following letter that when brought before the Legislature the local members were opposed to it, and consequently it could not be carried.

"Tuesday

"DR SIR

"I almost despair in effecting the object of my business here. Our members (as I suspected) differ from our present plan and Mr Sudam is endeavoring to continue in them that impression. I endeavored yesterday to procure an interview with Mr Livingston; but owing to the sitting of the council of appointment I could not effect one. This morning I saw him for a few minutes only. Mr Livingston is desirous that something should be done this session but from the general view I gave him of our object was disposed to think we ought to apply for a new charter. . . . The reason alleged that the charter is forfeited is on the ground of total insolvency and that no legal election had been held inasmuch as

there was not a board of directors and clerk present at the time of holding said election

* * * * *

"In haste Yours Sincerely

"ZH SCHOONMAKER.

"P M Groen
John Tappen"

What may be supposed to be the finale of the Ulster and Delaware Turnpike Road is thus set forth in the editorial columns of the Ulster *Plebeian* of August 28th, 1819.

"Ulster and Delaware Turnpike road.

"The annual election of Directors for this institution, having been advertised to be held at the house of Levi Jansen, in this village on Wednesday last; and there not appearing a requisite number of members to hold the election, it was of course not held, and the act of incorporation forfeited, after expenditures by the present stockholders on this road, to upward of one hundred and fifty thousand dollars."

From the above it is to be inferred that the stockholders had previous thereto kept up their organization by regular elections, notwithstanding the road had been apparently abandoned.

Thus ended a corporation which started with the brilliant expectations of a surplus over ten per cent dividends, and had been considered good security for collegiate funds and academical investments.

In 1805, while the fever and excitement for turnpike roads were at their height, a kind of omnibus turnpike and bridge bill was run through the Legislature providing for several different roads from as many different localities on the Hudson River, to extend the hand of friendship and commercial intercourse over improved thoroughfares from such several localities to the same terminus in the sparsely settled region along the Delaware and Susquehanna rivers. The Kingstonians, of course, had their hands in the potage by the incorporation thereby of the "Neversink Turnpike Road Company," to build a "Turnpike from Oxford and Chenango Point to Kingston;" and also the "Pepacton Turnpike and Bridge Company," authorized "to build a Turnpike from Kingston in the County of Ulster, by the most direct practicable route to the west bank of the west branch of the Delaware river in the town of Walton."

The controlling spirit in the enterprise to build the Neversink Turnpike Road was Lucas Elmendorf, who was one of the most prominent and wealthy citizens of the village, and had recently represented this Congressional district in the Congress of the United States for three successive terms.

On the 3d day of July, 1807, after various surveys had been made, the then Board of Directors, consisting of Luke Kiersted, President; Jacob Ten Broeck, George Tappen, Lucas Elmendorf, John Houghteling, Conrad J. Elmendorf, and Daniel Brodhead, Jr., having previously explored the ground and viewed the different places which admitted of the turnpike being brought upon the highway leading from the town of Rochester to Kingston Landing, established the same "to run from the public street in the village of Kingston, immediately north of the dwelling house of Rachel Beekman, and to terminate on the Delaware river at Cohecton, to the south of Ebenezer Taylor's," and they further directed the immediate establishment of the route. The building of the road was commenced and partially completed. From the circumstance that Lucas Elmendorf was the prime mover and active manager of the road, this end of the road acquired, and to this day bears the name of "Lucas' turnpike," and that portion of it situate within the bounds of the present city limits is officially designated "Lucas' Avenue." The entire road, as fully surveyed and laid out, led in a southwesterly direction from Kingston Village through Hurley, Marbletown, Rochester, and Wawarsing, in Ulster County, and through considerable portions of Sullivan and Delaware counties to Broome County, at some point near the Susquehanna River, a distance of about one hundred and forty miles.

This end of the road started from Kingston at a short distance only from the terminus of the King's highway, and ran in a southeasterly direction nearly parallel with that old highway until it formed a junction therewith in Rochester at Accord. The company then used the bed of the old road for theirs about six miles to Wawarsing; there they diverged therefrom, taking a northwesterly direction up Hunk Hill to strike the upper region of country and take their course for the proposed terminus.

The proposed road, thus necessarily running for the first twenty-one miles on the bed of a free road, or so near to it that a large portion of the farms extended from one road to the other, the rear part abutting on the proposed turnpike, did not present a very flattering prospect for the collection of toll.

By the charter they were authorized to use the bed of the old road, but not permitted to charge any toll thereon. The principal part of the residue of the proposed route lay through what was then nearly all a wilderness, but without doubt embraced on its borders large quantities of excellent land susceptible of speedy and lucrative cultivation.

Some of the landed proprietors entered into arrangements with the company to set apart a portion of their respective lots to pay for labor on the road, while others stood with their hands folded

ready to reap, without cost or expense to themselves, any profits or benefits that might accrue from the construction through the expenditure of the means and property of others.

Every conceivable effort was made on the part of the directors to force the road to completion. Advantageous offers were made, as well for contracts as individual labor on the road, some payable in cash, and some partly in cash and partly in land. By such means the directors succeeded in building a considerable part of the road, but not in completing it. Lucas Elmendorf, the leading spirit in the work, and the agent of the company, expended about \$40,000 out of his own resources upon the road, which proved a total loss. The road as far as built was accepted and gates erected, but did not yield sufficient revenue to pay the toll-gatherer and keep the pike in repair.

After repeated but previously unsuccessful efforts by the company to obtain some kind of relief through the action of the Legislature, a law was passed in 1817 which, after reciting that "it had become highly expedient, that the road between the Hudson River and the territory within the State lying north of Pennsylvania, heretofore intended to be opened by the Neversink Turnpike road Company, should be speedily completed," proceeded to make provision to cause a proportionate assessment to be laid upon the lands to be materially benefited by the making of the road, with the further provision that each proprietor assessed was to become a stockholder in the road to the amount of his contribution. The name of the company was also changed thereby to "The President and Directors of the First Great Southwestern Turnpike road Company."

The assessment was afterward made under the provisions of the act, but owing to some technical error or omission in regard to the filing and publication of the notice of assessment, the whole proceeding was adjudged invalid by the courts. Repeated efforts for relief were made to subsequent Legislatures, but without avail. Thus disastrously to the projectors resulted this great effort to promote the convenience and prosperity of the town of Kingston. It cannot be said, therefore, that the failure of Kingston to extend its arms into the interior, in both a westward and southwestward direction, was wholly attributable to a want of effort. It may well be said, however, that too much responsibility was thrown upon a *few*, but shirked by the *many*.

There are some facts connected with the history of the old King's highway above referred to, which may, perhaps, as well be set forth here, although they may be considered rather out of place.

A road from Esopus (Kingston) through the valley of the Ron-

dout and the Mamakating hollow, to and along the Delaware River, to the extent of a hundred miles and over, has undoubtedly existed from an early period in the settlement of the country, probably located upon an old Indian path. When it was originally worked is shrouded in mystery. There are various and conflicting surmises and traditions in regard to it.

As early as May, 1734, a petition was presented to the General Assembly of New York for action on their part to compel the repair of the road on the ground that several persons in West Jersey and Pennsylvania had no other way to transport their produce.

It is supposed, and has been generally credited, that the opening of that road had something to do with the old mine holes under the mountains at the lower point of "Paampquarry" flats, about three miles above the water-gap on the Delaware; also the "Yaag-Brun," in Minisink (Hunters' Spring), dug under the Shawangunk Mountains to an unknown depth, and other ancient holes at different localities along the route. There is no doubt that it is the oldest road of its length—one hundred miles—in the country.

There was a communication published in *Hazard's Register* in 1828, which contains the narrative of an interview with Nicholas De Pui, an old settler at the Minisink flats. He was then about sixty years of age, and gave traditionary accounts of what he had heard from his ancestors and others of former generations substantially as follows, as stated in the *Register*:

That in some former age a company of miners had come from Holland. It was supposed, from the great labor which had been expended by them in opening the road (which was about one hundred miles long), and in working the two mines, that they must have been very rich. One of the mines was situated on the Delaware river, where the mountain approaches the lower point of "Paampquarry" flats; the other was in the north foot of the same mountain, about half-way between the Delaware River and Esopus. That he had also understood that abundance of ore had been carried over the road, but did not know whether it was lead or silver.

He further stated that the first settlers came from Holland to escape persecution on account of their religion. In coming, they followed the mine road to the large flats on the Delaware. There the smooth, cleared land, suiting their views, they bought the improvements from the native Indians. Most of the natives then moved to the Susquehanna River. That they were at peace with the Indians that remained until 1755.

In the early days of our history, and, indeed, until the successful operation of the steamboat, the communication with New York from Kingston was by sailing vessels. The principal part of the vessel was devoted to freight. Still, the cabin in the stern was fitted

up with ten or a dozen berths for the accommodation of passengers, and the forecastle in front for cooking purposes and the convenience of the crew. As it was then usually a voyage occupying from two to three days, and sometimes more, depending on the wind and tide, those intending to go for business or pleasure usually sought to procure congenial company for the voyage. Frequently, if brought to anchor by both wind and tide being adverse, some of the passengers would land and have a jolly time on shore for an hour or more picking and eating berries or fruits in their season, or wandering about in the woods or village. The passenger was at liberty either to furnish his own provisions or board with the captain at the sloop's table. Usually the well-to-do people made ample provision of cooked eatables in their chests, for their journey back and forth, and for which generally their poultry-roost was made to suffer. During the voyage every one was expected to have a good time, and they laid themselves out for its enjoyment. One end of the chests in use in those days was usually fitted with compartments for safely carrying the old-fashioned "Holland gin" flasks, and it was not considered fully stocked while they were empty. The chest was of sufficient size to carry everything needful for the journey and bring back the purchases.

The sloops did not, in fact, cease to carry passengers until after 1820, when competition between different lines of steamers on the river reduced the fare to a reasonable price.

The following accident, occurring to one of the Kingston sloops on the 11th of June, 1820, as narrated in the *Plebeian* of the following week, will serve to show the number of passengers sometimes carried in the sloops as late as that date, and after more than ten years of steamboat transportation :

"On Saturday last about four O'clock, in the afternoon one of the sloops owned by Mr Abraham Hasbrouck of our Landing, Mr Jacob Du Bois Captain, was dismayed near the State prison on its passage from New York to this place, having *thirty passengers* aboard. The Captain, we understand, hailed the event by an hurrah, for the fortunate escape of his passengers—not one having received the least injury. That escape was truly miraculous."

At first the communication between Kingston and New York by sloop was, of course, irregular and infrequent. As the country improved, and population increased, the commercial intercourse of Kingston with other places advanced proportionately, and led to the establishment of regular packet lines between the two places, with regular sailing days, giving the citizens of Kingston weekly communication with the metropolis.

After that two rival lines were soon in operation, one owned by Abraham Hasbrouck, the other by William Swart. The William

Swart line changed proprietors several times, and subsequently, but prior to 1825, the business of that line was transferred to Twaalfskill. Mr. Rufus R. Skeel, a retired merchant of New York, an early friend of the writer, who moved with his father, Theron Skeel, to Twaalfskill in 1825, has given some interesting details in reference to the commerce of Kingston at that date, furnishing a good criterion to estimate that of a prior date.

“The whole of the freight from Kingston to New York was carried in four sloops of one hundred tons each—the Comptroller and Martin Wynkoop, from the Strand (Kingston Landing), owned by Abraham Hasbrouck, and the Convoy and Convention, from Twaalfskill, owned by Tappen, Eltinge & Co., in which Theron Skeel was interested. Each sloop made a trip in two weeks. Two left the Rondout Creek on Friday, and two left New York on the same day. There was but little to go either way; about seventy tons in each sloop *to* New York, and about twenty tons each week *from* New York, for eight months of each year; more in spring and fall, less in summer. Firewood and hoop-poles made the bulk of the freight down, and supplies for the country merchants the bulk of the freight up the river. There were no manufactures and very little grain sent to New York. Some sawed lumber was carried. The Rondout Creek was then only navigated by those four sloops, and was so quiet that the hull of a boat built for steam, but unfinished, was sent from New York in 1826 to be laid up on the south bank of the creek between Twaalfskill and the Strand. That vessel was towed from New York into the Rondout Creek by the steamboat New London, which was the first steamboat to enter that stream. That hull was some years subsequently sold to the Delaware and Hudson Canal Company, used by them as a freight barge, and named the Lackawanna.

“With the progress and completion of the Delaware and Hudson Canal the freighting business was very much increased, and the four sloops in 1828 ran full for half of the year. In 1829, when the canal was opened to Honesdale, more sloops were added. In that year also the steamboat Congress was brought into the creek by Mr. Theron Skeel, and used for freight and passengers between Twaalfskill and New York, and was the first steamer for passengers run into the creek. It towed one or two freight barges from Poughkeepsie to New York, but had only a little freight and few passengers out of the Rondout Creek. In 1831 the steamer Hudson was brought into the Rondout Creek and run from the Strand, or Kingston Landing, to and from New York.”

After the establishment of the freighting business at Twaalfskill an elderly lady, who had been born and brought up at that place, in sight of the creek, used to say that “Twaalfskill was not

as pleasant then as when she was a girl—about 1810—then no sloops came up there; no vessels were seen save Indian canoes and skiffs bringing a bag or two of grain to be ground at the mill.”

In 1825, and for some years subsequent, there was no road along Rondout Creek from Twaalfskill in either direction, neither to the Strand (Rondout), nor to Eddyville in the other course.

At this time the great wealth of Kingston and its vicinity in Ulster County—bluestone and cement—lay undeveloped and hidden in the bosom of the earth. It was not until the fall of 1836 that Philip V. D. Lockwood, the pioneer in the development of our flag-stone, opened the quarry, and in 1837 made the first shipment of flag-stone that was made from this county to the city of New York. Ezra Fitch next took up the business. Others followed their lead, and now the trade amounts to millions of dollars annually, and the bluestone of Ulster County may be found covering walks and forming sills and lintels of doors and windows in nearly every city of the Union. The cement manufacture some years after 1820 was started in a small way by three brothers, John, Moses, and Jacob Hoffman, in the neighboring town of Hurley, now Rosendale; they were soon followed by Watson E. Lawrence; and there are now in Kingston and neighboring towns millions of dollars invested in its manufacture, and the iron rail stretching over the land in every direction, and the mighty ocean washing the shores of the Union, and its numberless tributaries penetrating the interior, bear the Ulster County cement in vast quantities to every section of the country.

The passage of the first steamboat down the river was a notable event; it gave rise to many curious surmises and ideas by those who unexpectedly witnessed it. That was in 1807, when Fulton made his first successful passage with his newly constructed steamboat. It must have been indeed a novel sight at that time to see a boat with revolving wheels uncovered ploughing through the water. Mr. Mulks, an aged gentleman of this city, informed the son of the writer that he was then a little boy residing with his father on the banks of the Hudson where the channel came close to the shore. There were some friends visiting them at the time who had a little boy with them. The little visitor, seeing the boat come along, cried out in amazement to his mother, “Ma! ma! come; come and see the wagon go through the river without horses!”

For a number of years after the invention of steamboats their usual speed was less than eight miles an hour. By their schedule time between New York and Albany, as late as twelve years after their introduction upon the Hudson, they left Albany at nine in

the morning, were due at Kingston at five o'clock in the afternoon, and at New York at five o'clock the next morning. Their advertised time for the return trip was to leave New York at five P.M., arrive at Kingston at five A.M., and at Albany at one P.M. Notwithstanding such schedule time, they seldom arrived on time. The Clermont was the first boat. That was followed successively by the Paragon, the Lady Richmond, the Chancellor Livingston, and the James Kent, all built and owned by the same company. The usual mode of receiving and landing way passengers in the early steamboat days was by small boat with long towline attached. That towline was at one time drawn in by a windlass attached to the machinery when the boat was in motion. Then the small boats were frequently drawn a mile and upward behind the steamer before reaching it. The law finally interfered and prohibited the lines being attached to any part of the machinery. After that the boats were drawn in by hand. Then it became necessary for the boatmen to stop the headway of the steamboat and approach as near the dock as possible. That mode of landing was apparently attended with much danger, but it was generally adopted for many years with very few accidents.

There were no staterooms to the steamboats in those early days, and the fare included meals as well as passage. There was generally, therefore, a great rush for the table, as well as for berths and cots.

The first regular communication between New York and Albany by stage was established on the east side of the river by Isaac Van Wyck and others, under a statute passed April 4th, 1785, giving them the entire monopoly of the business for ten years by expressly prohibiting any competing lines.

It was not until some time after that stages were established between New York and Albany on the west side of the river. That was done, however, in the early part of the century by a company styling themselves "the Goshen, Kingston, and Albany Stage Line." They made trips thrice a week with two-horse stages during the suspension of navigation by the ice. That line of stages was continued until 1814, when there was a change of proprietors and arrangements. The change is thus noticed in the *Plebeian* of December 20th, 1814:

"The new line of Mail stages, drawn by four horses, on the west side of Hudson's River, between New York and Albany, promise to be of great public utility. They arrive in this village every day in the week, Monday excepted, and at much earlier hours than the old line did. . . . We are much pleased to find that so good a substitute has been provided for Steam Boats at the present season, during suspension of navigation by the ice." This

“daily” arrival is understood to have been one day up and the next day down.

The old line changed horses at Goshen, at Mr. De Witt's (Greenkill), and at Catskill. The new line made their changes at Goshen, New Paltz, and Catskill. Samuel Budd, of New Paltz, was one of the principal proprietors, or, rather, had the part of the route from New Paltz to Catskill.

The new line of stages continued with occasional change of proprietors until after 1820. But Kingston never enjoyed, prior to 1820, nor, indeed, for many years thereafter, a daily line of stages either with New York or Albany on the west side of the river; and when during the suspension of navigation they received a daily mail, it was by way of Rhinebeck.

Postal facilities in those early days were very poor, as will be inferred from a notice which appeared in the *Farmers' Register*, a paper published in Kingston. The notice appeared in the issue of Saturday, August 17th, 1793, as follows: “Those gentlemen, who wish to have their letters forwarded by post, are requested to send them to the Post office at Kingston on Wednesday evening.”

In 1815 the advertised letters remaining in the post-office at Kingston, to be called for, included letters for Esopus, New Paltz, Hurley, Marbletown, Rochester, Marlborough, Wawarsing, Plattekill, Woodstock, Neversink, and Westfield. The advertisement for January, 1820, included letters for Hurley, Esopus, Marbletown, Woodstock, Marlborough, Rochester, Beaverville, and Rocky Hill.

The following extracts from a notice, under date of March 28th, 1815, taken from the *Ulster Plebeian*, will serve the double purpose of illustrating the great want of postal facilities at that date, and how hard was then the printer's lot.

“For various imperious reasons, we have concluded to stop the circulation of the *Plebeian*, after the present week, through the towns of Hurley Marbletown Rochester Wawarsing Mamakating Shawangunk Plattekill Marlborough New Paltz and Esopus, by a Post rider employed as heretofore at the expense of this office. As we wish the papers to be read throughout our own County, and also in Sullivan, especially as long as the two Counties are identified in interest in the elective franchise, we take the liberty to recommend to our Patrons in those places to form clubs where practicable, to procure the papers either from the office or the nearest Post office. The greatest number of papers we circulate on the above mentioned route, are between this village and William Sypher's in Wawarsing, a distance of about thirty miles; in the whole of which extent there is no Post Office. Mr Sypher lives about twelve miles from the Post office in Bloomingburgh Sullivan County. We therefore

presume that a number of our Patrons south of Mr Sypher's and in Sullivan may conveniently get the papers at that office." Then, after stating that Shawangunk and New Paltz have post-offices, and Esopus had formed a club to get the papers at the office, he regrets that he does not know how to accommodate Plattekill and Marlborough, which have no post-offices. The notice then further proceeds as follows: "The fact is we have paid at the rate of \$182 per annum for carrying 175 *Plebeians* on that route, when better than two thirds of those papers were left between this and Mr Sypher's, from whence our Post has usually gone to Bloomingburgh Shawangunk Plattekill Marlborough New Paltz and Esopus an extent of 120 miles taking four days to perform the tour. We are constrained to declare that we cannot afford the incidental expenses of that post rider. . . .

(Signed) "JOHN TAPPEN"

His conclusion appears a very reasonable one when we take into consideration that the subscription price of the paper was by post \$2 per annum. More than one half the subscription used up in the distribution!

A post route was established from Kingston to Milford, Pa., in 1817. On the 13th day of November in that year the first United States mail-carrier started from Kingston on that route on horseback, making one trip a week.

The first newspaper printed in this county was the one referred to in the previous portion of this history as published by John Holt. He was the State printer, and followed the Legislature here, but was driven away when Kingston was destroyed.

The first newspaper published after the Revolution was the *Farmers' Register*, by William Copp. The publication of that paper was commenced in 1792, and had only a brief existence. A short time after that ceased to enlighten the public Mr. Copp associated himself with Samuel Freer in the starting and publication of another weekly journal called the *Rising Star*. After that paper had passed through a short period it found its patronage was unsupporting, and came to a dead halt. Next in order came the *Ulster Gazette*, which commenced its career in 1798 as the supporter and unflinching advocate of the doctrines of the Federal Party. It was conducted by Samuel Freer and son until the death of the father; after that it was continued by the son, Samuel S. Freer. It continued and flourished as a strong party organ until some time in the third decade in this century, when it expired, never having yielded an uncertain sound on any political question involving Federal principles or measures.

In the year 1802 the *Ulster Plebeian*, an anti-Federal or Repub-

lican paper, was established in Kingston by Jesse Buell. The publication was commenced in the old stone house standing on the south side of Pearl Street, between Fair Street and Clinton Avenue. Mr. Buell moved to Albany in 1813, and established the Albany *Argus*. In July, 1814, he disposed of the *Plebeian* to John Tappen, who assumed the publication and editorship of the paper until his death in 1831, since which time it has changed proprietors several times and names twice, first to the *Ulster Republican*, next to the *Argus*, under which title it is still edited and published by Mr. Crouch.

In these papers was conducted in the early years of this century the bitter political controversy between General Armstrong and Barent Gardinier. The difficulty started in the publication by Barent Gardinier of a letter found among the papers of Major Grier, an Irishman, and an American officer in the Revolution, in which it is alleged Armstrong acknowledged himself to be the author of the celebrated "New Burgh army letters." The controversy was kept up from time to time for two or three years, and the discussion included the great political questions of the day.

Both those papers, as party organs, were conducted with much ability, and neither ever wavered in the advocacy and maintenance of the doctrines, measures, and candidates of its party.

Other papers and party organs have since sprung up, but as none of them flourished prior to 1820, they call for no particular mention here.

Samuel S. Freer during his control of the *Gazette* was the great travelling apostle of Federalism in this and adjoining counties. The editing, composing, and printing of his paper was accomplished in the first half of the week. On Wednesday afternoon the carrier did his duty through the village, and the post-office received its quota, which was a small one. On Thursday morning the saddlebags, after being filled with the copies of the *Gazette* for distribution to country subscribers, were thrown across the saddle, and "Uncle Sam," as he was called, mounted on top and started to spend the rest of the week journeying through Ulster, Orange, and Sullivan counties distributing his papers and enunciating in public places and at family firesides on his way his favorite political doctrines, trying to make converts and confound his political opponents.

At times during his career he also undertook the distribution of the *Plebeian*, thus carrying the Republican or Democratic antidote with him.

Freer having in the early part of his career published in his papers some matters derogatory to the Supreme Court, was cited to appear before the court at Albany to answer for the offence. He

went to Albany and saw Alexander Hamilton, who sympathized with him as a brother Federalist. Hamilton's reply to him was, "Well, my good fellow, we do not know what we can do for you. If the court should imprison you, that will have to be borne by you alone; we cannot suffer in your stead; but should they fine you, the money shall be forthcoming. As regards counsel, I am with you heart and hand, and will plead your cause." The trial came on, Hamilton argued his case in a most powerful speech. When he had concluded the court fined Freer ten dollars, of course a virtual triumph. Freer lost a fortune in the publication of his paper and died poor. He was a man of considerable ability, a good political manager, and strong in a political discussion.

John Tappen, who was the editor and proprietor of the *Ulster Plebeian* for seventeen years, and until his death on the 20th of April, 1831, at the age of sixty-five years, was educated to the profession of law, which he followed until he assumed the duties of editor in 1814. His mother was the sister of General George Clinton; his father was Christopher, and his grandfather Christoffel Tappen, whose names we have found prominent in the history of this place during the provincial and revolutionary periods.

Mr. Tappen was a man of fine talents, sterling integrity, and withal a devoted, exemplary Christian. After taking charge of the *Plebeian* he confined himself strictly to its management, so much so as seriously to impair his health and prematurely hasten his death. Under him the editorial columns of the *Plebeian* never wavered in the advocacy of Republican principles, and the able, firm, and unyielding support of the candidates and measures of his party.

CHAPTER XXIV.

HABITS AND CUSTOMS.

THE early settlers of Esopus were neither needy adventurers nor speculators who left their homes to seek their fortunes, nor were they criminals escaping from justice ; but they were men and women who deserted birthplace and kindred for conscience' sake. Rather than submit to tyranny and abjure their religious faith, they left father, mother, and kindred, comfortable homes endeared to them by early associations, and braved the terrors of the deep, ran the hazards of a border life surrounded by savages to reach an asylum and abide in a home where they could without restraint worship God according to the dictates of their conscience, and enjoy freedom in their religious belief. Such were the early settlers of Kingston, and such the causes which drove them from their fatherland.

We have in this history followed them and their descendants through many decades of years ; some distinguished for the enjoyment of peace and comfort, others burdened with the deadly war-whoop and bloody massacre ; others, again, passed in the peaceful, but at the same time earnest struggle for their rights as freemen, and again defending and demanding those rights at the cannon's mouth. Twice were they the victims of the marauder's torch ; the first that of the uncivilized, the second of the civilized, but equally barbarous and relentless foe. Still, amid all these changes and trials they remained firm in adherence to the faith of their fathers, and unyielding in their demand for freedom and religious toleration, and steadfast in their favorite doctrine—"No taxation without representation."

We have now in our narrative of events passed over nearly two centuries since the settlement of Esopus, and have thus reached the third decade of the nineteenth century in the Christian era. At that time a large majority of the citizens of Kingston were the direct descendants of the early settlers, and in many of them could be traced the sturdy character of their ancestry. The Dutch element was then largely in the ascendant, the Dutch language was the predominant language at the fireside, and Dutch customs prevailed in social intercourse. The settlement had increased grad-

ually, but improvements were and had long been at a "stand still," and it had not kept pace with many of its neighboring villages. It was not and had not then been crazed by the spirit of adventure and speculation. But the time appears to have arrived for a new order of things. It is a trite saying that "There is a tide in the affairs of men, which, taken at the flood, leads on to fortune." The progress of events has shown that such tidal wave, in connection with the subject of this historical sketch, set in during that third decade, and has ever since continued increasing in force as it has progressed, and still continues its forward progress with unabated strength and power. This appears, therefore, a proper point at which to pause and take observations and reckonings. It is so especially as the vast influx of population since that time has obliterated the peculiar characteristics of the inhabitants of those times, and the memory of them is fast passing away.

The personal recollections of the writer commence with that third decade, and the statements which follow of the condition of the place, and of the social customs and general character of the inhabitants at that time, are based upon his own personal recollections, confirmed by some of his then youthful associates still living, with whom he wandered in boyish glee through every nook and corner of the then village and vicinity, roamed about the glens and rocks, floundered in the creeks in summer, and glided over their icy surface in the winter, meeting with no inhabitant, young or old, with whom he did not have or could not claim an acquaintance.

As has been remarked, Dutch customs then prevailed in social intercourse. Neither the fashionable morning calls of the present day between neighbors, nor the large midnight parties, turning night into day, were then in vogue. The custom between neighboring ladies was the interchange of afternoon visits. One, two, or three, as might be convenient, sending a message to a neighbor, that if agreeable they would spend the afternoon with her. If convenient the answer was in the affirmative, if not another early time would be named. Upon the day fixed the visiting matrons appeared about two o'clock in the afternoon, work in hand—usually knitting. The entire afternoon was spent in neighborly chat, and about five o'clock the gentlemen of the families made their appearance. That was the signal for tea. No elaborate preparations were made for entertainment at the tea-table, nor expected. The table, of course, was decorated with the old-fashioned silver, and short cake, plain cake, and preserves were the principal accompaniments of the old Hyson. Soon after tea the guests took their departure. In due time the visit was returned in like manner. Of course morning and afternoon calls were made between acquaintances and friends, and particularly upon strangers; but they did not savor

of the formal character of those of the present day. Strangers, when visiting in the village in those days, always received special attention, and never could complain of want of hospitality or of neglect.

For tea-parties verbal invitations were usually given the previous day. On such occasions the lady guests were expected about five o'clock in the afternoon, and the gentlemen about six, or a little after. About seven tea and its accompaniments were served by passing them to the guests seated about the room. After tea the evening was spent by the young people in games of different kinds, to suit their fancy. Dancing was seldom indulged in at private parties. Sometimes a contra-dance or two might be indulged in to the music of the jewsharp played by one of the slaves. Pianos were not then, as now, "plentiful as blackberries." There was only one in the whole place; that was at Mrs. Rachel Beekman's. In 1821 or 1822 another was brought into the village by Madame Hardy, a French lady, for her daughter Laura, who subsequently married Judge John Van Buren. She at that time boarded with the mother of the writer. When Miss Hardy practised, as she usually did toward evening, crowds were attracted about the windows, filling the sidewalks to listen to the unfamiliar music. Then the ball-rooms monopolized the dancing. Usually the young gentlemen early in the winter arranged for a series of balls during the season, and designated the managers. The selected managers issued invitations and made all the necessary arrangements. They escorted all the ladies to and from the ball-room. No invited lady then remained at home for the want of a gentleman escort. The managers procured two or three sleighs or other conveyances, and they personally, with such conveyances, called for the ladies at their homes and brought them to the dancing house. After the managers had completed the gathering of the ladies about eight o'clock, they escorted them to the ball-room, where the gentlemen had by that time assembled, and the dancing at once commenced to the music of the violin, usually with "Money Musk," and closed some time after midnight with the Virginia reel, when the managers escorted all the ladies to their homes. The favorite dances were contra-dances, frequently interspersed with cotillons. The matrons of that day would have been horrified to have any of their children engage in any of the fashionable round dances of the present day, and their introduction would soon have made the ball-room a forbidden place. Church members seldom, if ever, attended the dance—it was not considered the proper place for them.

The expenses of the ball were paid by an assessment upon the gentlemen in attendance, varying in amount from a dollar and a

half to three dollars each. The refreshments were generally cake, lemonade, and wine. A hot supper, with turkey and oysters, was sometimes provided, but it was the exception rather than the rule.

At that period the full dress of a gentleman was a blue swallow-tail, double-breasted coat with brass buttons, and a high, stiff, rolling collar; vests and pants to match in color, if not white. The shirts were provided with ruffles projecting through the opening of the vest, and high, upright collars encircled with white neckerchief folded wide so as to reach the chin and tied in a bow in front. For the ball-room white silk or cotton stockings, with pumps having single soles, were indispensable.

Black cloth, unless in cases of deep mourning, was seldom worn, except by clergymen; it was considered their appropriate insignia.

The ordinary dress of the ladies was plain, so that it was common for a dressmaker to complete one in a single day, and made, generally, of inexpensive material. The almost universal insignia of the married lady was a cap, small, and of thin lace for the younger class, and increasing in thickness and size as time rolled on, and the tell-tale hair showed signs of approaching age.

The farmers generally raised more or less flax yearly, and after that was gathered and dressed the hum or music of the spinning-wheel could be heard in almost every house. Then when the weaver had performed his duties, the products, as well the tow as the linen cloths, were used for some articles of clothing and other domestic purposes.

The wool gathered from the sheep also, after passing through the wool-carding and dressing machines, came back to the family to be converted into yarn, some for the supply of the knitting-needles, and the rest for the weavers' loom, to be converted into flannel and cloth for domestic use.

There was scarcely a season of the year but what in many houses the young people could be found sewing together strips of cloth, useless for any other purpose, preparatory to supplying themselves with a new rag carpet for one of the choice rooms of the house.

The houses were generally provided with front stoops having seats. There, in warm, pleasant weather, the family, with, perhaps, some neighbors, congregated after the day's work was over, spending an hour or two in social chat before early retirement. Frequently at such times the matron of the house might be seen leaning over the lower half of the front door joining in and listening to the chat.

Their habits were thus at that time simple and plain. Not accustomed to the luxuries of the city and fashionable society, their wants were few and moderate. A man then worth fifteen or

twenty thousand dollars was considered wealthy, and as independent as one who can in these days count his hundreds of thousands.

The only church in Kingston at the commencement of that decade was the Reformed Dutch, with two services regularly every Sabbath and one on Thursday evening of each week. An interregnum of church service in the summer, for the recuperation of the worn-out energies of the minister, was not thought of or suggested. The attendance on the Sabbath at church was very general on the part of old and young. As the church at that time was not furnished with the conveniences necessary to bring its temperature to summer heat, an elderly matron in winter was usually accompanied by a younger member of the family, or colored boy or girl, carrying a foot-stove with a test full of live coals to keep her feet warm. Her body and hands were protected by a short red cloak and the marten-skin muff and tippet.

The streets during service were deserted, and no loungers were hanging round. There was then no exhibition of young men loitering in and around cigar-shops and the piazzas of hotels, puffing the Virginia weed during any part of that or even other days. Indeed, the etiquette of those days would not have tolerated for an instant a gentleman smoking a cigar in the streets in company with a lady, either riding or walking. What a change since then, and where is the improvement?

At the time of which we are now writing there were many pleasant and inviting walks in the immediate neighborhood of the village of Kingston, which were very much enjoyed in the warm summer afternoons and twilight hours by the young people. Afternoon and evening strolls were very fashionable with the young gentlemen and ladies, and much more enjoyed than the confined air of the parlors. If those old lanes and byways, now by the march of improvement either obliterated or shorn of their attractiveness and beauty, could talk, and relate things of the past, it is believed that many soft words and plighted vows exchanged between those who have since passed through the stern realities of life would be the burden of their tales.

The first of these favorite walks turned from the village at the junction of Pearl and Green streets, and then, after crossing the brook and following a farmers' lane for a short distance, a bed of flat rocks was reached, several acres in extent, presenting a smooth, even surface, broken only by narrow fissures separating the different layers. A large part of the tract was clear of any trees or shrubs; another part had more or less cedar-trees and shrubbery growing up out of the crevices, which formed a pleasant and cool shade.

Here were also found the various forms of snail-shells, some in-

habited and others deserted ; also petrifications in abundance, and where the search of the geologist would have been well rewarded by the free use of the mallet and chisel.

The place is now entirely changed ; our great canal, commingling the waters of the Erie and Hudson, and other large works of improvement, have drawn upon its resources until its surface is entirely changed, so that it now forms the blooming garden of a gentleman of leisure.

Passing across the rocks over to the "big fly road," a short walk brought the pedestrians to the top of the high ground in the rear of the village, where one of the most lovely landscapes opened to the view, embracing the village of Kingston, surrounded by its broad expanse of lowlands and cultivated farms, and the lordly Catskills bounding the horizon in the distance, thus presenting a broad, extensive view with which the eye could never tire.

Again, passing down Wall Street a little beyond the last house in the street, a place aptly called "Love Lane" was reached ; that was another route to the heights above referred to. On entering the lane from Wall Street the pedestrians found themselves in a secluded path, skirted with trees and shrubs on both sides, leading to the "Steene Schuthook," where, after passing through a closely shaded walk in the woods of that name, the pedestrians would again find themselves on the heights with the enchanting view before them. Or if, when the "Steene Schuthook" was reached, they had taken the path to the left and followed it up the "Kuycknuyt" Hill, on reaching the top an equally magnificent view would be spread out before them.

Again, the pedestrians, instead of being enticed from Wall Street by the cool shade of Love Lane, might have continued their walk down the street a short distance farther and rested themselves in the Indian seat, where the indentations in the rock by the wayside gave strong evidence that it had been the resting-place of weary natives before the substance had hardened into stone. After a brief rest, rambling a few rods farther brought them to the rocks, where with little trouble they could in a short time provide themselves with a collection of handsome petrifications and shells, to which the Senior Professor Silliman, of Yale College, alluded in one of his scientific works. Extending their walk farther, they reached the brink of "Joghasm Gat" (Jacob Valley) ; then following the well-trodden path down the steep declivity, a clear running trout brook was reached, principally the outpouring of a single spring, and well skirted with trees on either side, just the spot to entrance the romancer and the angler.

But the angler would likely continue his course farther down, and if unsuccessful in his search for trout continue onward until

he reached the ponds of the Twaalfskill, where he was sure very soon to fill his basket with the small but delicious fish, called "spaanacoker," which when properly cooked furnished a treat not to be excelled. Unfortunately, through the frequent drainage of the ponds and the erection and working of a tannery above, that delicate fish has become extinct, and its delicacy and tooth-someness are now only to be remembered and talked of, not enjoyed. The young boys of that day, the writer can allege from experience, enjoyed many a delightful Sunday morning breakfast when discussing the results of their angling in those ponds the previous afternoon. The fish were then abundant, and it was no uncommon thing, when the line was provided with two or three hooks, to find, draw after draw, every hook laden with its captive.

The stores were few ; all kept a miscellaneous, but not a large stock of goods, as in ordinary country stores. A number of them were kept by widow ladies as a means of support. Every mechanical trade had its representative, and all their work was accomplished by hand without the aid of any of the labor-saving machinery of the present day.

Most of the inhabitants were farmers having and working small farms in the vicinity of the village, each having as a necessary accompaniment to their dwelling-house in the village a large, wide-spread barn, usually standing directly adjacent to and facing the street. Some of the farm hands were slaves, or just emerged from slavery, and celebrated the 5th of July as the day of their prospective emancipation. The farmers, through the greed of the West India Company, in the early settlement of the country, had had the curse of slavery entailed upon them, with the usual experience of slave-owners : "The slaves raised the corn, the hogs consumed the corn, the slaves ate the hogs," and nothing was left.

The laborers' wages of those days were usually sixty-two and a half cents a day for twelve hours' work, without board, and by the month from seven to nine dollars, with board. The laborer with that income, and the mode of life in those days, was as independent, and, indeed, more so, than the workingman of the present day with his largely increased wages.

In those days the tailors with their shears and the shoemakers with their kits went round accommodating their patrons at their own dwellings.

At that time the season in which the butchers were able to ply their vocation was a short one. The never-omitted killing time in the fall filled the corn-beef and pork-barrels in the cellar, and after the chopping-knife music, which at that season of the year was to be heard in every part of the village, the pendent sticks in the garret were filled with sausages, and the smoke-house at the same

time with hams and other meats. Such preparations, together with a well-stocked turkey and chicken roost in the barn, left no need or occasion for draughts on the market in winter.

The houses in the village at this period were mostly built of limestone, which was very abundant in the immediate neighborhood, and were generally only one-story high, although there were a few of a more aristocratic or pretending character raised an additional story. The kitchen was usually in an extension in the rear.

The furniture was plain and substantial; with some the parlor chairs were substantial, old-fashioned mahogany, but generally handsomely fashioned, painted and gilded oak rush-bottomed chairs, with those of a plainer character for the ordinary dwelling-room.

The bedsteads were the high post and the field bedsteads, with valances and curtains by which they could be entirely enclosed, and sacking bottom fastened with cords. The old-fashioned mahogany sideboards and tables, especially tea-tables, were in use in many families, and very many of the old Dutch families were supplied with silver tea sets, some of them brought by their ancestors from Holland.

At that time the principal national Dutch festivals were still in vogue.

Christmas ("*Kirstrydt*") was always opened in families and among relatives and intimate friends with the wish of a merry Christmas, each one vying to give the first salutation. In the forenoon of that day communion of the Lord's Supper was always administered in the church. A favorite sport for the young men who were not attracted to the church was turkey shooting, usually below the hill north of North Front Street. Turkeys were set up to be shot at with pistols, distant a certain number of paces, at one shilling a shot, the successful marksman carrying off the prizes. At home, preparatory to dinner, turkeys suspended on spits occupied the Dutch ovens, or were hung from spindles before a blazing wood fire. The after part of the day was usually spent in domestic gayety.

New Year ("*Nieu Jar*") was spent in calls; every house was open, and sideboards were loaded with cake and wines.

"*Paas*," or Easter, was the great day for devouring eggs, and children and servants were always provided with colored ones.

"*Pinaster*," Whitsuntide, was especially observed by the colored people as a holiday, and their hats were decorated with the early flowers then usually in bloom.

"*Santa Claus*," St. Nicholas or Christ Kinkle Day, occurred eleven days before Christmas, December 25th, old style. This was the great day, to be ushered in by Santa Claus wandering about

distributing presents to good children and whips to the unruly, in their stockings hung in chimney-corners.

The following is a translation of the old Dutch song appropriate to the occasion:

“St. Nicholas, my dear good friend,
To serve you ever was my end;
If you me now something will give,
Serve you I will as long as I live.”

In those days, before all the Revolutionary patriots and their immediate descendants had gone to their final rest, or become incapacitated by age, the usual and appropriate celebration of the great national festival, the anniversary of the 4th day of July, was never omitted. It was not looked upon and treated as a mere ordinary holiday, to be spent simply in firing cannon and crackers, or wandering in the country, but one to have the minds and attention of the people drawn back to the times which tried men's souls, and to the glorious truths and doctrines which were fought for, maintained, and declared in that most perilous and trying period. The particular and important feature of the celebration in Kingston was the assembling of the inhabitants together in the church, it being the most commodious room in the place, there to listen to the reading of that grand old instrument of our fathers, the Declaration of Independence, and a patriotic oration prepared and delivered by one of the leading citizens. The church was always crowded, and political differences and contentions were for a time obliterated and forgotten—they met on common ground. It is to be greatly regretted that such observance of the day has virtually become obsolete. The great truths and principles contained in that noble instrument of the Revolutionary patriots cannot be too often brought to the notice or too strongly instilled into the minds of the people, and engraven upon the consciences of the rising generation. Surely listening to its recital once a year should not be considered burdensome.

Below is inserted a copy of the newspaper account of its celebration in Kingston in the usual way, on the 4th of July, 1821. By the names recorded it will be seen that it was countenanced and participated in by some of the most prominent citizens of the place. The orator and reader, both distinguished members and ornaments of the Ulster County Bar, have been called to their final account, the orator in the prime of life, and the reader surviving to adorn one of the highest judicial positions in the State.

The chairman of the festive board was the brother-in-law of that sterling patriot of the Revolution, Governor George Clinton, and a member of the first Constitutional Convention of this State:

“FOURTH OF JULY.

“The 46th Anniversary of American Independence was celebrated in this village, with unusual splendor and festivity. The dawn was ushered in, by the discharge of cannon and ringing of bells; at noon a procession, composed of our most respectable citizens from this village and its vicinity formed at Levi Jansen’s hotel, and preceded by a band of music, marched to the Church. An eloquent and animated address was then offered to the Throne of Grace, by the Rev Mr Gosman—the ‘Declaration of Independence’ was, in an impressive manner, read by Charles H Ruggles Esq—William Cockburn Esq then delivered an oration, to the most numerous and gratified audience perhaps ever assembled in this place. The scenes sufferings and triumphs, through which our Revolutionary fathers passed, were described in glowing language: the conflagration of this village, particularly, was very aptly and pathetically alluded to. The oration contained many sound political maxims and observations, with a view to the preservation of our National Independence and glory. The fate of other republics was held out as warning beacons for our country to avoid the rock on which they stranded.

“At the close of the oration, the Band handsomely performed the popular air of Yankee Doodle; whereupon the procession returned to the Hotel, where a large company without distinction of party, sat down to a sumptuous repast, in the long room, which was decorated with flowers formed into festoons and garlands. The names of the 13 United States in large capitals, were placed at equal distances around the room, enclosed in evergreen. Christopher Tappen Esq. one of the Seven Survivors, who framed our State Constitution, presided, assisted by Judge Trumpbour and Sheriff Deyo.

“The following toasts were drank. 1. *The day*—Proud in the recollection of Freemen. 2—*The Heroes of the Revolution*—Who built the pillars of our Freedom, and cemented them with their blood. 3. *The last War*—Which wafted in triumph the Star Spangled banner round the civilized world. 4. *The President and Vice President of the United States*. 5. *The Governor of the State of New York*. 6. *South America*—May Liberty place her standard from Ocean to Ocean and from Pole to Pole. 7. *The Globe*—May American Commerce whiten every Sea and crowd every Port. 8. *Science*—May the American Eagle spread her wings over her temple. 9. *The useful arts*—An American first snatched Lightning from Heaven—May American Genius ever be respected. 10. *The Inhabitants of Kingston*—They passed through the flames of the Revolution, for having formed the Charter of our rights. 11.

The County of Ulster—May agriculture, man's first and best employment, distinguish her citizens. 12. *The State of New York*—She asks only her just weight in the Republic;—may that never be denied her. 13. *The Fair Sex*.—May the Mountain Goddess inspire them with sentiments worthy of Americans.

“After the ringing of the bells and the discharge of an evening gun had announced the close of the festivities of the day, rockets and other Fireworks were displayed in North Front Street, to the great amusement of a crowd of Spectators. Never has that day been commemorated here with a more general appearance of satisfaction and delight.”

It was the custom about 1820, and for several years subsequent, indeed, until the great anti-Masonic excitement created by the abduction of Morgan compelled Masonry to hide its head for a season, for the “Mount Horeb Chapter and Kingston Master Masons” to celebrate annually on the 24th of June the anniversary of their patron saint. On that day about noon, the Masons, sometimes with their high priest, king, scribe, and captain of the host in full regalia, and sometimes not, set forward in procession from the lodge-room preceded by the village band, and after marching through several streets entered the church. The services there consisted uniformly of prayers and an address by a clergyman of their order, interspersed with vocal and instrumental music. Upon the conclusion of the exercises in church the procession re-formed as before, and then proceeded to one of the village hotels to partake of a grand dinner prepared for the occasion. After having done full justice to the eatables the cloth was removed, to be followed by regular set toasts, abundant flow of wine and after-dinner remarks.

The citizens of this country have ever since the attainment of their independence, as well as before, shown a great aversion to standing armies. It was not strange that our forefathers imbibed that feeling, for when under the British yoke they encountered the haughty, domineering, tyrannical, and self-sufficient spirit enshrined within the British gold-laced red-coat. Their descendants inherited the feeling, and they determined to rely mainly upon a citizen soldiery. That led to the adoption of a militia system for the organization and training of the people in military tactics. All able-bodied citizens between the ages of eighteen and forty-five years, save only a few especially exempted classes, were required to be arranged in companies, battalions, regiments, brigades, and divisions, to be commanded by officers of appropriate grades selected and commissioned in the manner designated by law. Each militiaman was required to provide himself with all the arms and

accoutrements necessary and appropriate to the position held by him in the organization either as an officer or private.

Each military division or department had its appropriate beat or territory assigned to it. On the first Monday of September in every year, at nine o'clock in the forenoon, the companies were required to rendezvous in their respective beats for the purpose of "training, disciplining, and improving in manual exercise." The commissioned and non-commissioned officers and musicians of each regiment or separate battalion were required to rendezvous in their respective beats one day in every year, and continue through the day in military exercise.

The militia were also required once every year to assemble by regiment or separate battalion, at such time and place within their respective beats as the commanding officer of the brigade should direct, for the purpose of "inspection, review and martial exercise."

In the early years of the writer those days of martial exercise formed great times of attraction and wonderment, especially the general review, or, in the ordinary phrase of the time, "general training." That was one of the great days of the year, and from the importance then attached to it and the crowds drawn to its gatherings, it requires special mention and description.

The day previous to the parade witnessed extensive preparations for the appropriate accommodation of the military and spectators. The stores were usually depleted of their limited supply of hemlock boards and joists for the building of booths, to furnish resting-places where the inner man could be comfortably and uncomfortably provided for.

In the stores the molasses hogsheads were largely drawn upon to furnish the requisite amount of gingerbread and molasses candy, indispensable articles on these occasions. Old Toentje and his wife, of Columbus Point, did not at the great training day, as at other times, enjoy a candy monopoly, nor were there then any "trusts" organized, to crowd all competition out; but on the night preceding the parade the colored people had many kettles of molasses, in as many kitchens in the village, boiling over the fires, and many hands tired and stiffened in giving the candy its proper delicate hue.

In the early morning of the important day the workmen were plying their vocation all about the parade ground, giving the final touches to the booths. A little later wagon after wagon from the surrounding country could be seen approaching, which, besides being loaded with the whole family, from the oldest to the youngest, had between its sides a barrel of sweet cider on tap, and quantities of apples for sale, to defray the expenses of the journey, and enable them on their return home to add something to their money-

box, if they had any. At the same time the proprietors of the booths were bringing in their supplies of drinkables and eatables.

From early in the morning until the hour of parade the roads leading to the village and the camp-ground were lined with whole families from the country in wagons or on foot, including all—from the oldest to the youngest—frequently with the baby at the breast, wending their way to see the sights.

By nine o'clock the military companies, the great observed of all observers, were expected to march into the field and take the respective places to which they belonged. Kingston was not honored with any uniformed company at that date. The companies, being all of the "Jobunker" class, arrived and marched separately, each one preceded by his captain, dressed in his "best suit" and wearing the usual high and bell-crowned hat, with a tall feather projecting therefrom, sometimes white, sometimes black, with a few inches of red tipping at the top; sometimes an epaulette resting on one shoulder, but invariably a sword dangling by his side and suspended from a red morocco belt buckled round his waist; occasionally a red sash over the belt, more frequently none. His troops closely followed him in platoons, dressed in various shades and colors, some in their best array, expecting their admiring sweethearts on the ground; others appearing as if they had just come from the plough, the carpenters', blacksmiths', or other mechanical shop; some having long-tail coats, some short-tail coats, and others without any tails to their coats at all. Their arms and accoutrements consisted of a musket or shotgun, with a bayonet dangling on the left side from a strap passed over the opposite shoulder, and a cartouch-box suspended in the same way from the other shoulder. Thus accoutred, on the soldiers marched in companies to their appropriate places. By this time there was probably not a hamlet in the whole regiment's beat, and perhaps not a farm-house, which was not represented among the spectators on the ground.

The men, after being manœuvred and practised by companies for an hour or more, stacked their arms, and then came the recess. That was the time for the soldier and the civilian beaux to monopolize the attention and smiles of their loved ones, at the same time indulging their tastes and sweetening their palates with cards of gingerbread, and stick after stick of molasses candy, occasionally washing or moistening it down with some liquid sweet or something stronger. This was the harvest time for the hucksters. It lasted for about an hour, when suddenly the drums sounded their call to duty; then the sweethearts were deserted, the guns were unstacked, and the soldiers formed in ranks.

Before this the guards had been set and the spectators crowded outside of the central square reserved for military movements—some on foot, some on horseback, and some in carriages, all kinds of vehicles being represented. Suddenly a great buzz was heard, and the attention of all was drawn in one direction, to see the general, with his gold-laced coat and chapeau, mounted on a prancing charger, at the head of his richly caparisoned and mounted staff, approaching to take part in the grand regimental review.

Now the military line was formed, and the practice by the entire regiment as one, in shouldering, ordering, carrying, and presenting arms commenced, and then, after many marching and counter-marching manœuvres, the companies were all formed in platoons, and the general and his staff took their stand on the edge of the reserved square; the marching inspection and salutes were then in order. The whole regiment marched past their general officer in platoons for review and inspection. In the mean time, while a considerable portion of the crowd of spectators were witnessing the manœuvres of the military, others were engaged in depleting the booths and peddling wagons of all their contents.

After the review came the marching from the field and through the different streets of the village, followed by the dismissal. Then the show was ended, and the crowd dispersed, some all right, some with aching heads, some with trembling, uncertain limbs, and others, again, apparently ignorant of which of their ends was uppermost.

In the early part of the third decade of this century a uniformed company called the Ulster Grays was organized in Kingston, by some young men who took some pride in military matters. They became thoroughly drilled, and were a credit to themselves and the town to which they belonged.

The soldier-like demeanor and good discipline of that and other organizations of a similar character throughout the State could not save the general militia system from the destructive shafts of ridicule well aimed at the "Jobunker" companies, and the ridiculous foppery of many of their company, as well as regimental officers, who appeared to think that with the coveted rank of a militia officer, by which they could acquire a prefix or handle to their name, they had reached the acme of fame, and were the envy and wonder of all observers. Such men, puffed up with their fancied importance, by many of their acts disgusted respectable citizens and threw discredit upon the whole system. It gave rise to the organization in many places of companies styled "Fantasticals." They by using grotesque arms of various descriptions, from the old musket to the cane and broomstick, and with fan-

tastic dresses to match, drew large crowds of admirers to their parades. Men who could mimic and ridicule were selected as officers, and by voice and manner, as well as dress, prepared the way for new laws, involving an entire change in our military system, and the consequent abolition of the annual "general training."

CHAPTER XXV.

KINGSTON AS IT WAS IN AND ABOUT 1820.

IT is the intention, in this chapter, to give a particular description of Kingston as it was in and about 1820, with a map and explanations, which will be especially of local interest, showing the situation of the houses and the names of their occupants, with occasionally such remarks, biographical or historical, as the particular subject may appear to demand. On the map the names of the streets are indicated by letters, as follows: N. F., North Front; E. F., East Front, now Clinton Avenue; F., Fair; W., Wall; C., Crown; G., Green; J., John; M., Main; P., Pearl; M. L., Maiden Lane; St. J., St. James'.

1. On entering the village of Kingston from the interior, through what is now Hurley Avenue, a small frame building stood on the south side of the road where a hotel now stands; it was at that time occupied by Cornelius Winne.

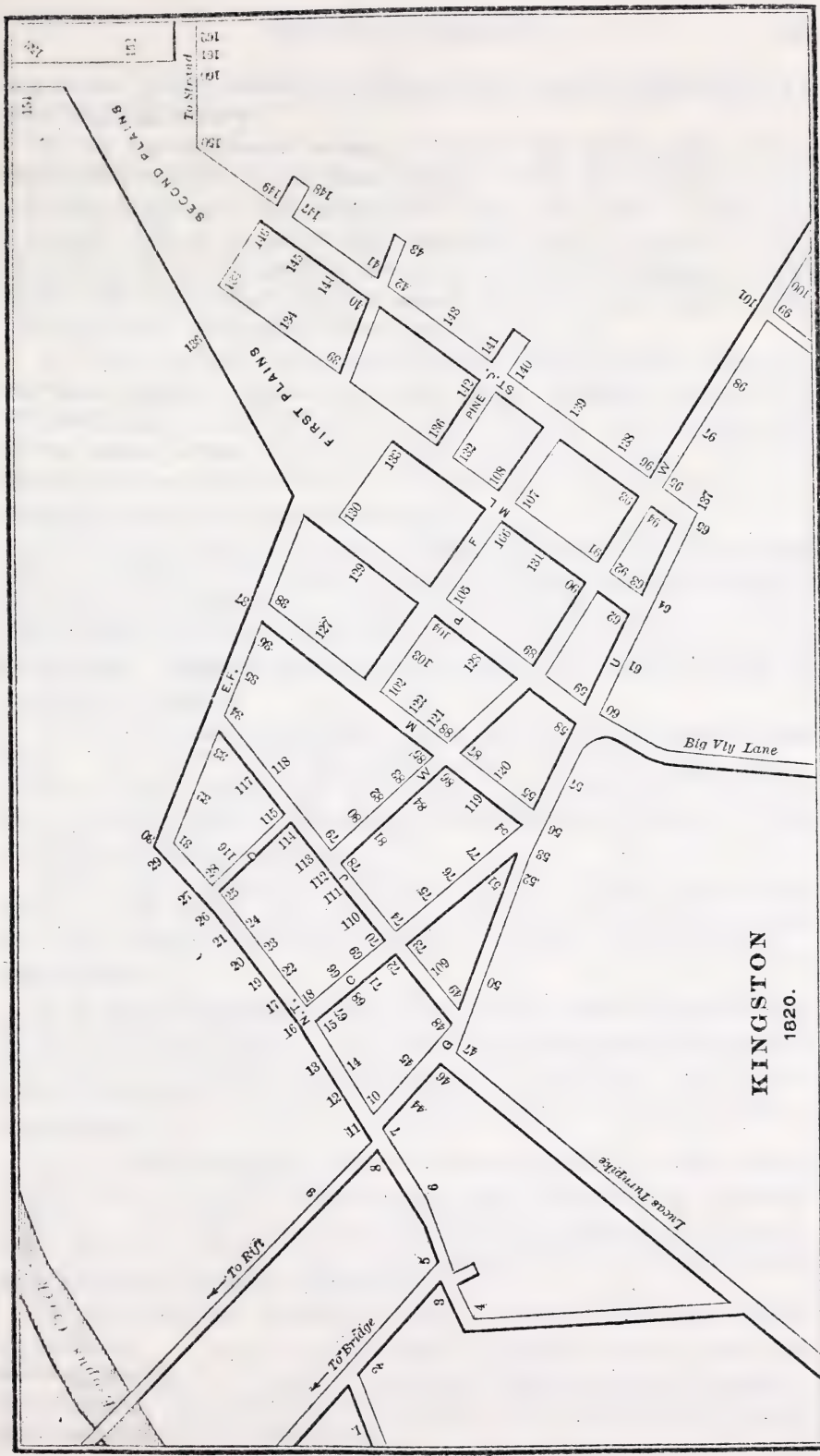
2. After turning the corner to the right, and thus passing into the Bridge Road, there was, a short distance from the corner, and where the Russell two-story frame dwelling now stands, a building occupied by Reuben Nichols as a dwelling and saddle and harness-maker shop.

3. A short distance farther to the south on the same side of the road (west), and fronting North Front Street at its terminus, stood a frame storehouse which had been built a few years previous, and occupied by A. & A. Story. About 1820 it passed into the possession of J. & J. Russell, emigrants from Scotland.

On the south side of that store was an inlet or opening then communicating with a lane leading therefrom southerly to Lucas' Turnpike. That inlet was originally the commencement of the old King's highway to Hurley, Marbletown, etc., from that point taking a somewhat circuitous course; it struck into the site of the present highway a short distance west of the old Winne house. The change of the road was made in 1813, so as to run direct into the Bridge Road as it now does.

4. Opposite the Story storehouse, and a few feet southerly from the street, on a rise of ground, stands one of the old stone houses. It was the old homestead of Nicholas Bogardus. At the date of

KINGSTON
1820.



our review it was owned and occupied by Peter E. Hasbrouck as a dwelling and bakery.

5. On the northeast corner, made by the intersection of the Bridge Road with North Front Street, where the tannery now is, was the apple-mill and distillery of Isaac Du Bois. Going east across the hollow the street was then quite narrow—not much more than room for two teams to pass one another—the bridge over the mill-brook was crossed, and the site of the old colonial mill on the left and of the mill-pond on the right was passed.

6. After passing those points in North Front Street, eastward, the first building reached was the frame building occupied by Gilbert Cooper as a dwelling and tobacco factory, on the south side of the street, where the large brick hotel now stands. The old brewery—or a section of it—of colonial and Revolutionary fame formed a part of that tobacco factory.

7. On the southwest corner of North Front and Green streets stood one of the old stone houses, a two-story double house, in Revolutionary times the homestead of Johannis Sleght. At the date of our review it was owned by Rachel Bogardus and occupied by tenants. About that time it was occupied by William Brink as a store and dwelling.

Directly opposite this house "Frog Alley" entered North Front Street. That was then the road to the "riff" or fording place. Prior to the building of the bridge across Esopus Creek in 1790, it was the only direct avenue to the district of country on the north side of Esopus Creek.

8. On the west corner of Frog Alley and North Front Street stood a small frame shop which, as indicated by the sign painted over the window, had been occupied by Peter E. Osterhoudt, a watchmaker.

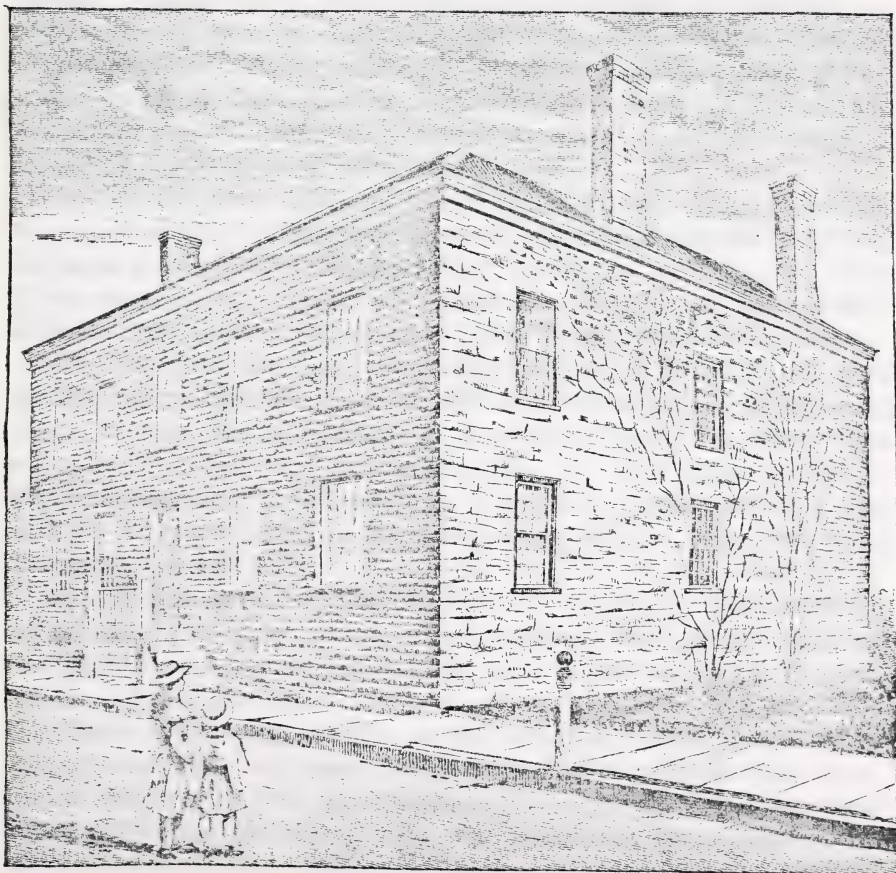
9. A short distance up Frog Alley, on the east side, stands one of the old stone houses. In colonial and Revolutionary times it was one of the Bogardus homesteads. At the date of our review it was occupied by tenants—about that time by Henry Darling, a stone-cutter.

10. At the southeast corner of Green and North Front streets stands one of the old stone houses, the homestead of Anthony Hoffman. It is still owned and occupied by some of his descendants, and at the date of our review was in the possession of Abraham Hoffman, the son of Anthony.

11. Opposite the Hoffman house is a large, two-story double stone house. It was the homestead of Joseph Gasherie, who was the first surrogate of Ulster County, and held the office for a number of years. At the date of our review the building was owned and occupied by Edward O'Neil.

12. A short distance to the east, and on the same side of the street, stands a large, two-story double stone house ; it was the homestead of Abraham B. Bancker, and was built in the early part of the century, after the great fire in 1804, upon the site of the building then burned. Mr. Bancker was clerk of the State Senate continuously from 1784 to 1802. At the date of our review the building was owned by George W. Bancker, of Rhinebeck, and occupied by John Champlin, district attorney, until his death in November of that year.

13. Next east, on the north side of the street, is the two-story brick-front double house built by Isaac Du Bois and John Hume in 1818 and 1819. It was built upon the site of the old stone house in which Cornelius Elmendorf, with the cognomen of "*Old Nabor*," kept public house in the early days of this Republic.



THE DEWAAL HOUSE.

14. On the south side of North Front Street, and opposite the Bancker house, stands the "Dewaal house," so named from having

been owned and occupied by William Dewaal as a public house for many years. The house was burned down in the great fire of 1804, during the occupancy of Mr. Dewaal, and immediately afterward rebuilt as it now appears. During Mr. Dewaal's occupancy it was kept as a public house, and the old house, as well as the new one, contained the favorite dancing hall. The new one was particularly celebrated on account of its beautiful spring floor. Mr. Dewaal died in 1820, honored and respected by all who knew him. His widow survived him, and continued there for some years and until her death.

15. The next building on the south side of the street, and a little east of the Dewaal house, was a frame building, which in 1816, and for some time afterward, was occupied by Conrad E. Elmendorf and Derick Du Bois as a store. In 1820 the publication of the *Craftsman*, a newspaper, the special organ of the Hon. John Sudam, was started in that building by Benjamin G. Johnson, as publisher. It was so continued there for a few years, when its printing and publishing office was removed to Wall Street, in the frame building then standing next north of the burying-ground. After that the building was occupied for many years by James and Daniel L. Wells as a cabinetmaker's shop.

16. On the north side of North Front Street, and a short distance east of the Du Bois and Hume house, stands a frame building, the main part of which was standing in 1820 and occupied by John Hume as a store. It was also used for many years by Jacobus Hardenbergh as county treasurer, John Hume being his deputy.

17. The next building on the north side of North Front, and facing Crown Street, is one of the old stone houses of Revolutionary date. It was the homestead of Anthony Freer. In 1820 it was occupied by John S. Van Steenbergh. At that time he had a watchmaking and jewellers' shop in an annex at the east end. A part of the main building was then occupied by a Mrs. Coppin as a millinery store.

18. On the southeast corner of North Front and Crown streets was a large, two-story double stone dwelling-house, with a gambrel roof fronting on Crown Street. In 1820 it was occupied by Lieutenant-Colonel Jacobus S. Bruyn. It was built a few years after the Revolution upon the site of the building burned down in the great fire of 1776. Colonel Bruyn was a captain in the New York line of infantry in 1775, and joined the Northern army under command of General Schuyler. He was present at the capture of St. Johns and Chambly. He proceeded with the army under General Montgomery to Canada. He was with General Montgomery in his assault upon Quebec, and near that officer when he fell. Upon his return to New York he was appointed lieutenant-colonel in the Continental line, and was stationed at Fort Montgomery. He was there

when the fort was stormed and taken by the British. He was taken prisoner at that time, and brought to New York and confined on board of a prison-ship in the harbor. After about three years' captivity he was exchanged, and rejoined the army. At the close of the war he settled in Kingston. He was a member of Assembly in 1788, and immediately after a member of the Senate for one term. He died in July, 1825.

19. On the north side of North Front Street, and a little to the east of the Van Steenberg house, was a small frame building, in 1820 occupied as shops. The two-story brick store and dwelling now there was built on its site.

20. A little farther to the east, and where Military Hall now stands, was a double, two-story frame building, occupied about 1820 by James G. Wilson, at the west end, as a tailor shop, and at the east end by Lawrence Wilson, as a hatter shop.

21. Next to that, and with only a narrow alleyway between, was a frame building erected for a barn or carriage-house. It was owned by Abraham Myer, an attorney and counsellor-at-law. He was surrogate in 1813 and district attorney in 1820. He occupied a room at the east end of the building finished off for a law office. The building was subsequently converted into a store, and occupied as such for a number of years, until torn down to make room for some more pretending brick structures.

22. Immediately opposite, and on the south side of North Front Street, was the dwelling-house of Mr. Myer. It was a one-story frame building formerly owned by William Ellsworth. It was erected by him upon the site of his building destroyed by fire in the general conflagration of Kingston. The house is still standing. Mr. Myer was a man of considerable ability, and took a high stand in his profession as a practising lawyer. He was appointed surrogate in 1813.

23. A few feet east of the Myer house, and on the same side of the street, stood the large, double two-story stone house of Christopher Tappen. It was one of the old stone houses rebuilt after the burning of Kingston. There had stood the homestead of Christoffel Tappen, the head of the Tappen family, who died in 1740. He was in his day one of the prominent men of the place. He was speaker of the Trustees of Kingston, and also President of the Board of Magistrates for many years and up to the time of his death. His son Christopher succeeded to the ownership of the place. He was a man of ability, and represented the county frequently in different representative bodies, both in colonial times and after the organization of the State government. He was a member of the convention which framed and adopted the first State constitution. He was a brother-in-law of Governor George Clinton,

and held the office of deputy county clerk under him as chief from 1759 to 1812, and the office of county clerk from 1812 to 1821.

Governor Clinton always made his home in that house when in town, and during the sessions of the Legislature in Kingston there was the executive chamber. One tradition asserts that General Washington lodged there, and not at the Bogardus house, when visiting the village, as before stated. The writer gives both traditions. Of course they are not both correct ; he cannot tell which is.

24. Directly adjoining the Tappen house on the east, in 1820, was a one-story frame building used and occupied as a store in 1820 by the firm of Peter Tappen & Co. Mr. Tappen was a son of Christopher, and the "Co." was William G. Eltinge. The building was removed when Wall Street was opened, and the street now covers its site.

25. A little farther to the east, on the south side of North Front Street, and within a few feet of the corner of Dover Street, stood a one-story frame dwelling-house, in 1820, owned and occupied by Philip Newkirk. It had, previous to Mr. Newkirk's occupancy, been owned and occupied by Peter Tappen, a brother of Christopher.

26. Opposite to the Newkirk house, and on the north side of North Front Street, stood a frame building, which had been originally put up for a machine-shop, but never finished as such. In 1816 there was organized therein a Sunday-school, which is reputed to have been the first institution of the kind in the place or in the county of Ulster. In 1820 it was used by Samuel Fowler as a blacksmith shop and for the sale of some farming implements. It was subsequently finished off and occupied as a store by Matthew Ten Eyck for some years. On its site now stands a large brick building.

27. A little farther to the east, and directly opposite and facing Dover Street, stood a small frame dwelling-house occupied by a Mr. Mills. Many of the old citizens will recollect his daughter, "Betsey Mills," as a faithful tailoress, visiting their houses, and call to mind having worn many a garment of her make.

28. On the southeast corner of Dover and North Front streets, in 1820, stood a barn belonging to or connected with the Tillotson house, next mentioned. It was subsequently converted into a store for Tappen & Eltinge, and occupied by them for a time. The building is still standing at the southeast corner of North Front and Fair streets.

29. The last and only remaining house in North Front Street was the large, two-story stone house still standing on the north side of the street and facing East Front Street, now Clinton Avenue. This house was built in 1802 by John Tremper, a few feet to the east of the ruins of the house of Johannis Wynkoop, burned in the

Revolution. In 1820 it was occupied by John C. Tillotson and owned by Mrs. Tillotson, the daughter of Chancellor Livingston.

30. The first building in East Front Street (now Clinton Avenue) is the frame building facing North Front Street. That building was put up shortly after the Revolution, and occupied as early as 1794 by Peter Van Gaasbeek for mercantile purposes. After his death it was occupied for a time by John Tremper. In 1820, and for several years previous and subsequent it was occupied for the same purpose by Peter G. and Henry Sharp. In 1820 Matthew Ten Eyck was associated with them under the firm style of Sharp, Ten Eyck & Co. The building was owned by James Cockburn. It is now converted into an apartment house.

31. The next building in East Front Street is the old one-story stone house, on the west side of the street, known as the "Senate House," with a history. In 1820 it was owned and occupied by Sarah Dumond, the widow of Peter Van Gaasbeek. She acquired it by will from her uncle, Abraham Van Gaasbeek.

This house is one of the oldest in the city of Kingston. It was originally built by Colonel Wessel Ten Broeck in the latter part of the seventeenth century, supposed to be about 1676. He was a man of considerable prominence in his day, and the house when built was rather in advance of the ordinary houses of that time in this vicinity. At the time of the Revolution it had passed into the hands of Abraham Van Gaasbeek. Upon the organization of the State government in Kingston, in the year 1777, that house was selected for the meetings of the Senate of the State of New York, and in it the first Senate was organized, on the 10th of September, 1777, and held its regular sessions until the meetings of the Legislature were broken up by the near approach of the enemy after the capture of Fort Montgomery. On the 16th of October, 1777, it shared the same fate as the other houses in the village, and was reduced to naked walls. Soon after the Revolution it was rebuilt, or, rather, the wood and inside work restored, as is understood, very much in accord with the old model. About 1794 it passed by will to Sarah, the wife of Peter Van Gaasbeek, a member of the Third United States Congress under the Constitution, who died shortly after the adjournment of that body. In 1820 the house was occupied by the Widow Van Gaasbeek and her daughter Sarah. It afterward passed into the hands of F. E. Westbrook, and then to Mrs. Marius Schoonmaker, who sold it to the State in 1887. It has since undergone thorough repairs, to be kept and preserved by the State as a relic and memento of the past, and especially of the organization of our State government. It is a low but long one-story house, built in front and ends with the limestone so common in the vicinity. The rear wall is of old Holland brick, which

tradition reports was brought across the sea for ballast. They are the large-sized Holland brick, nine inches long, four inches wide, and two inches thick. The walls throughout are solid and firm in every respect. A representation of the building will be found in Chapter XVIII.

General Armstrong occupied this house in 1804 for a short period before his departure as Minister to France. He moved here principally for the education of his children in Kingston Academy, and when he left as Minister to France he took Mr. Warden, the then principal of the academy, with him as his secretary.

It was during his then residence here that the able, but extremely bitter political controversy was carried on between him and Barent Gardinier through the village papers.

During his residence here in 1804 his father-in-law, Chancellor Robert R. Livingston, on his return from the French court, made a triumphal entry into this village. The citizens of Kingston not only honored the man, but they felt grateful to him for the munificent gift he had given the trustees for the benefit of the suffering inhabitants, as recorded elsewhere. When it was known that the chancellor was coming preparations were made for a gala day in the village. A public holiday was proclaimed, and on his approach a procession was formed headed by the trustees of the corporation, who proceeded out on the Albany road to meet him. On his arrival he was escorted to Bogardus's Tavern, where he was received with an address of welcome, and after an appropriate reply by the chancellor and reception of the citizens, they sat down and discussed a great dinner.

32. The next house on East Front Street was one of the old stone houses which is still standing. During the Revolution it was the homestead of Abraham Masten, and rebuilt by him after the burning in 1777. It is a double two-story stone house; it has been somewhat enlarged latterly. In 1820 it was owned and occupied by his son Abraham, and is still in the family.

33. Next, in 1820, stood another of the old stone houses, with its gable end on East Front and facing toward John Street, but distant from the last-named street about seventy-five feet. It was owned and occupied in 1820 by Captain Thomas Van Gaasbeek.

This property was in early years owned by Louis Du Bois, the Walloon. About the time, or just prior to the Revolution, it was owned by Matthew Du Bois, one of his descendants; from him it passed to his son-in-law, Matthew E. Thompson, who was one of the victims of enlightened England's *philanthropy* (!) The house was rebuilt by him, and subsequently passed into the hands of Thomas Van Gaasbeek.

Connected with this house in 1820, and for some years previous,

was a frame store standing with its gable on John Street and fronting East Front Street. The house and store were connected at one corner and so located with regard to each other as to form an L, or two sides of a square, upon the corner back from the streets. The house and store have both been torn down some years since. In 1820 the store was occupied by William Holmes as a merchant.

34. Crossing John Street, and a short distance from the corner on the west side of East Front Street, is a long, two-story frame dwelling, now owned and occupied by Moses Mulks. In 1820 it was owned by the Widow Mary Grier, the north end occupied by her as a store and the rest as a dwelling. It was built by Mr. Grier in the early part of this century.

35. A few feet farther to the south stood a blacksmith shop, and next to that one of the old stone houses, a small, one-story building with gable to the street. In 1820 the two were owned and occupied by John McLean as a dwelling and blacksmith shop. Within a few years all traces of them have been removed, and the present dwelling-house of Mr. Merritt stands very nearly on the site of the shop. In the Revolution it was the homestead of Jacob Turk.

36. The next building was the house of John Beekman, one of the one-story old stone houses. It stood with its gable on East Front and its front on Main Street. It was the original homestead of Cornelius Beekman, the ancestor of John. It was rebuilt by him after the burning of Kingston. The house is still standing, but so raised and built over that its original form is gone.

37. On the east side of East Front, and fronting Main Street, stood a large, two-story stone house, and one of the old stone houses. It belonged in 1820 to the estate of James Hasbrouck, deceased, and was, in or about 1820, occupied by his widow and family. It was the old homestead of Colonel Abraham Hasbrouck, and was rebuilt by him after the burning of Kingston. On the Miller map, made in 1695, a house is designated as then standing near that spot, with a memorandum that it was the house where the governor was entertained. It was purchased in 1759 by Colonel Hasbrouck from Robert G. Livingston. Subsequent to 1820 it was for many years occupied as a hotel, and until it was burned down a few years ago. An old Holland brick was found among its ruins which is still preserved. Among other marks upon it are the figures 1717, evidently made before burning.

38. On the south corner of Main and East Front streets stands the frame storehouse which in 1820 belonged to the estate of James Hasbrouck, and had been occupied by him many years for mercantile purposes. It was about 1820 or shortly thereafter occupied as a store by John L. Lawrence for several years.

The preceding covers all the houses standing on East Front Street, north of the plains, in 1820, at which point the street then terminated at the south. The first plains, as it was then called, was an open, triangular shaped, unenclosed commons, bounded northerly by Pearl Street and Albany Avenue, southeasterly by Maiden Lane, and westerly by the Truman Cowles (now Sahler) house on Pearl Street, and the Masten (now Jackson) house on Maiden Lane. A simple wagon track passed across the plains to Maiden Lane on the line of East Front Street extended.

39. South of the plains, and on the southeasterly corner of Maiden Lane and East Front Street, extended, stood a one-story stone house called the Vosburgh house, originally built shortly after the Revolution on one of the lots purchased from the trustees under contract to build in two years, as previously set forth in this work. It was occupied by Dr. Abram Vosburgh at the time of his death, about 1820. It was of late years the parsonage of the Presbyterian Church, but has lately been torn down to give place to a more imposing brick structure.

40. The next house was a one-story frame house, standing on the northeast corner of East Front and St. James' streets, and fronting on St. James' Street. It was the homestead of Johannis M. Van Keuren, and occupied by him in 1820. It has been rebuilt, and its old form is no longer recognizable.

41. On the opposite and southeast corner of St. James' and East Front streets stands a two-story frame dwelling fronting on St. James' Street, which in 1820 was the homestead of Lucas Van Keuren.

42. On the southeast corner of those two streets stands a one-story frame building, now used as a store, fronting on St. James' Street. In 1820 it was the homestead of Nehemiah Ostrander.

43. A little farther south on the west side of East Front Street, in 1820, stood a one-story frame dwelling occupied by William Keator, a shoemaker, who sometimes carried his kit about with him to his customers' houses.

Opposite the Keator house, on the east side of the street, was the village pound. At this point East Front Street, in 1820, terminated in a *cul-de-sac* against an old Dutch barn.

44. The first house on Green Street, after leaving North Front Street, is one of the old stone houses partially rebuilt during the Revolution, when it was the homestead of one of the Elmendorf family. It was purchased by James Styles in 1803, and occupied by him as a dwelling and watchmakers' shop from thenceforward until after 1820. The house is still standing on the west side of the street.

45. A short distance farther south, and on the east side of the street, in 1820, stood a large, two-story double frame house. It was owned and occupied by George Tappen, one of the sons of

Christopher Tappen. Daniel Brodhead, Jr., an attorney-at-law, and then surrogate of the county of Ulster, a near relative of Mr. Tappen by marriage, also lived there in 1820. The house afterward was used as a school-house for a number of years. It has lately been torn down and the new school building erected in the rear of its site.

46. On the northwest corner of Lucas' Turnpike and Green Street, in 1820, stood a frame storehouse belonging to Mrs. Rachel Beekman. It was only occasionally and temporarily occupied.

47. Near the southwest corner of Green Street and Lucas' Turnpike stands one of the old stone houses as rebuilt after the burning of Kingston. It was then the homestead of Egbert Dumond, who was the first sheriff of Ulster County under the State constitution. This building, together with the two-story double frame house built adjacent to it, and fronting on John Street, was in 1820 owned and occupied by Rachel Beekman, the widow of Tjerek Beekman, a lieutenant in the Revolutionary War, also the mother-in-law of the late Judge Charles H. Ruggles and of the late Rev. Dr. Cornelius D. Westbrook.

48. On the northeast corner of Green and John streets stands a large, two-story double frame house fronting on John Street. In 1820 it was the homestead of Dr. Luke Kiersted, in his prime the leading physician of the place. He died about 1820.

49. On the opposite corner, fronting on Green Street, stands one of the old stone houses. In 1820 it was owned and occupied by Abraham G. Van Keuren. In the Revolution it was the homestead of Gerrit Van Keuren his father. It was burned down in 1776 in a large fire noticed elsewhere, and rebuilt.

50. Nearly opposite, and on the west side of Green Street, stands another of the old stone houses. In 1820 it was the homestead of Jonathan Hasbrouck. He was a county judge in 1798. It was burned down at a large fire noted elsewhere in 1776, and at that time was owned by Colonel Abraham Hasbrouck, and was rebuilt after the burning of Kingston.

51. The large, two-story stone building standing at the junction of Green and Crown streets was for many years the homestead of John Tappen, a lawyer, and the editor and proprietor of the *Ulster Plebeian*, a leading Democratic newspaper from 1813 until his death. The printing and publishing office of the paper was upon the second floor on the west side of the building, to which access was had by an outside stairway. He also had a book and stationery store for a time in the lower front corner room on Green Street. It was the homestead of Henry Slegt in the Revolution and at the burning of Kingston.

52. Nearly opposite to the Tappen house, and on the west side of Green Street, is a large, double, two-story stone dwelling-house.

It was built by Judge Lucas Elmendorf a little after 1790, and from thenceforward until the time of his death, at a ripe old age, it was occupied by him as his homestead. He was for many years a prominent representative man in the county. In 1798, when quite young in years, he was elected a representative to the United States Congress, and at a time when it was an honor and a distinction to be a member of that body, and was re-elected the two succeeding terms. He was first judge of the county of Ulster from 1815 to 1821, and surrogate from 1835 to 1840. He sacrificed a fortune in unavailing efforts to procure a business thoroughfare from Kingston to the interior and southern tier of counties of the State, as noticed elsewhere.

Directly on the north end of the stone mansion is an annex still standing. In 1820 the post-office was kept in the south room of the annex, while at the north end was the cabinetmaker shop of James Wells.

53. Next on the same side of the street, and nearly opposite Main Street, is the large two-story stone double house built by Jacob Tremper; from him it descended to his daughter Catharine, who was the second wife of Conrad E. Elmendorf. In 1820 it belonged to her estate and was occupied by a tenant.

54. Directly opposite, and on the northeast corner of Green and Main streets, stood one of the old stone houses. It was burned and rebuilt in the Revolution. It was the homestead of Dr. Peter Vanderlyn in the early part of this century. In 1820 it was occupied by Christopher Tappen, Jr. (son of the elder Christopher mentioned above). He was a lawyer, and had his law office in the frame addition on Main Street. He was a good lawyer and an estimable man and citizen.

55. On the opposite corner of Green and Main streets stands another of the old stone houses burned and rebuilt in the Revolution. It was one of the old Delamater homesteads. In 1820 it was occupied by David Delamater, a descendant of the family.

56. On the west side of Green directly opposite Main Street stood the village market. In 1820 it was unoccupied, and with the lot on which it stood used only as a playground for the boys.

57. Passing toward the south, next stood one of the old stone houses. It is a large two-story double stone house, the former homestead of Judge Dirck Wynkoop. He was a member of the State Convention for action upon the proposed United States Constitution and county judge from 1783 to 1793. The house was burned and rebuilt in the Revolution. In 1820 it was occupied by two of his maiden daughters, Ariantje Wynkoop and Margaret Wynkoop. It is said that General Washington and staff were entertained at dinner in this house in 1782, upon the occasion of their

passing through the place. In 1820 a part of this house was occupied by Mrs. Walworth, an English lady, who kept there a select school for young ladies. Her husband had charge of the English department in the academy.

At the south end of this house, in 1820, the wagon track descended diagonally down the hill to the bridge across the brook, to avoid the then very steep descent from the head of Pearl Street. That steep descent was then the favorite coasting place for the boys in winter.

58. At the northeast corner of Green and Pearl streets, in 1820, stood one of the old Revolutionary stone houses, which was occupied by Katrine Jansen, an aged lady and a descendant of one of the old settlers. It has since been removed.

59. On the opposite or southeast corner, in 1820, stood a two-story frame building, the homestead of William Marius Groen, occupied by his two daughters, Hillitje Marius Groen and Catharine Marius Groen, wife of Benjamin Welch. It has recently been torn down.

60. On the west side of Green Street, nearly opposite, but a little more southerly, stands one of the old stone Revolutionary buildings, the homestead of Thomas Beekman, occupied in 1820 by his son, Cornelius Beekman.

61. On the same side, but a little farther to the south, stood another of these old stone buildings of Revolutionary date, the homestead of Peter Wynkoop, occupied in 1820 by his descendants, Martin and Abraham Wynkoop. The north end was occupied by James H. Styles as a boot and shoe shop in 1820.

62. On the northeast corner of Maiden Lane and Green Street is a two-story stone house, one of the old houses burned and rebuilt in the Revolution. It was the homestead of John McLean, the elder, and in 1820 occupied by his widow, Mary McLean.

63. On the opposite corner stands another of the old stone houses. It was the homestead of Tobias Van Buren, and in 1820 was owned and occupied by his son, Cornelius Van Buren.

64. On the west side of Green Street opposite the Van Buren homestead stood one of those old stone houses of Revolutionary date. It was the homestead of Jacob Marius Groen, Sr., and in 1820 was occupied by Jacob Marius Groen, his oldest son. It had a small annex at the north end for a saddler shop, but in 1820 or shortly afterward it was used as a school-room.

65. The next and last house in the street was the double two-story stone house standing at the head of St. James' Street. It was built by Tobias Van Buren. After 1813 it was occupied by Major J. V. W. Huyck until his death, which occurred about 1820. Major Huyck was an army officer in the War of 1812, and for some time

was at the head of the recruiting office in this place. After Major Huyck it was occupied by William Houghteling.

66. Returning to North Front and passing down Crown Street beyond the Bruyn house, which has been already noticed, a frame building, gable end to the street, was situated and occupied in 1820 by Messrs. Ruggles & Hasbrouck as a law office. Each one of those gentlemen rose to distinction in subsequent years. The senior partner, Charles H. Ruggles, after practising law until 1830, and acquiring much distinction as a lawyer, was early in 1831 created circuit judge; and after the revision of the Constitution in 1846 was elevated to the bench of the Court of Appeals. There, as well as at the circuit, he stood second to none as a jurist and a just and discriminating judge. The junior partner, A. Bruyn Hasbrouck, continued to practise his profession until 1840, having in 1834 formed a copartnership with the writer. Mr. Hasbrouck was a good, sound lawyer, and possessed every qualification necessary to take a prominent stand in his profession. His tastes, however, were of a literary tendency, which led to his appointment as president of Rutgers College in 1840. That position he occupied with distinction for a number of years, when he resigned, and after that led a retired life, passing away, at a very advanced age, to another and a better home.

67. The next building stood nearly opposite on the west side of the street. It was a two-story frame double house with a shingle front, and was owned and occupied by Seth Couch, the south part as a dwelling and the north part as a store.

68. The next house on the same side is a two-story stone double house, which had, a few years previous to 1820, been erected upon the site of a Revolutionary ruin. The homestead of Abraham Low was burned in the fire of 1776, and only the rear or kitchen part rebuilt until Benjamin Ostrander erected the two-story house in front of and adjoining the rear part previously restored. After the completion of the building he opened it as a hotel under the designation of the "Kingston Coffee House," and it was so kept by him until after 1820.

69. Directly opposite stands the Kingston Hotel, which in 1820 consisted of the stone part, one of the old stone houses, and was occupied by Levi Jansen as a hotel. He had been sheriff of Ulster County from 1807 to 1811.

A story is told of the landlords of the last two houses named. It was a matter of principle with each of them never to drink at his own bar, and there was a travelling sixpence which made frequent journeys across the street from one side to the other, as either the one or the other of the landlords might desire to allay his thirst, always at his neighbor's, never at his own counter.

70. Next on the same side is the stone house standing at the northeast corner of John and Crown streets. It is one of the old stone houses which was burned and rebuilt in the Revolution. It was the homestead of Frantz P. Roggen, and in 1820 was occupied by his descendants, Dr. John Roggen and his sisters.

71 was a small two-story frame building, occupied about 1820 by one Brennan for a dwelling and school-room, and soon thereafter by Herman M. Romeyn as a dwelling and law office.

72. On the northwest corner of John and Crown streets stands a large two-story double stone house, which occupies the site of the old homestead of Matthew Jansen. The present building was erected after the Revolution, and was occupied by his descendants in 1820, John C. Jansen and Katie Jansen.

73. On the southwest corner of John and Crown streets stands the old academy building, about in the form it was originally built. For a short time there was no classical school in the academy; this occurred in 1820. An English gentleman, Mr. Walworth, had then charge of the English department; his wife at the same time taught the young ladies in the Wynkoop house, as previously mentioned. A full description of the academy is given in the historical sketch of that institution, to be found in another part of this work. The janitor, Cornelius Elmendorf, familiarly known as "Academy Case," occupied some rooms on the first floor at the south end on Crown Street.

74. On the other, the southeast corner of the street, stands another of the old stone houses of Revolutionary date. It was the homestead of Matthew Persen; he had kept a public house there for a number of years. In 1820 it was occupied by Dr. John Goodwin, and in the wing on John Street he kept a drug store and grocery.

75. Passing down Crown Street, the next building is a frame building of two stories standing on the site of one of the old De Witt homesteads. It was occupied in 1820 by one of the descendants, a maiden lady, Elizabeth De Witt.

76. On the east side of Crown Street, opposite the Tappen house before noticed, stands one of the old stone houses, occupied in 1820 by Cornelius Tappen, another son of Christopher Tappen. On the north side and within a few feet of the house stood the village hay-scales, the beam projecting over the sidewalk, with chains suspended to pass under the wagon and raise it up. It was, in fact, a large steelyard.

77. Nearly adjoining the last house on the east until recently stood another of the old stone houses, owned and occupied in 1820 by Henry Eltinge. A room at the south end was occupied by Samuel S. Freer as the printing and publishing office of the *Ulster Gazette*, the organ of the Federal Party.

This completes the description of the buildings in Crown Street.

Wall Street is the next street east of Crown. In 1820 its northern terminus was John Street.

78. On the westerly corner of Wall and John streets in 1820 stood one of the old stone houses of Kingston, a large two-story double house, with a kitchen extension in the rear along John Street. It was then owned and occupied by James Cockburn. In colonial times it was the homestead of John Crook, a distinguished Kingston lawyer. After the Revolution it was occupied for some years by John Addison, a distinguished member of the bar and settled in Kingston. He was the first principal of Kingston Academy, and gave it at once a high and commanding reputation. He was the first president of the Board of Trustees after its incorporation. This house was also, in the early part of this century, for several years the home of Barent Gardinier, a distinguished lawyer, who represented this district in the Congress of the United States for two successive terms, from 1807 to 1811. It is said that John Randolph, of Roanoke, at that time pronounced him the most eloquent man he had ever heard in Congress. He was a Federalist, and is the man who had the bitter and severe newspaper controversy with John Armstrong, referred to in a previous part of this book.

79. Directly opposite the last-named house, and on the easterly corner of Wall and John streets, stood another of the old stone houses, owned and occupied in 1820 by Peter Marius Groen and his daughter, Cornelia Schoonmaker, the mother of the writer. At the burning of Kingston it was the homestead of the widow Cornelia Low, whose daughter Catharine married Mr. Marius Groen.

Peter Marius Groen was appointed and served as surrogate of the county of Ulster in 1810. He was the speaker (presiding officer) of "The Trustees of the Freeholders and Commonalty of the town of Kingston" (thereto elected annually) from 1793 to 1815 inclusive, except only the year 1804. He was one of the trustees of Kingston Academy from its incorporation until his death in 1823.

Cornelia Schoonmaker was the widow of Zechariah Schoonmaker, the youngest son of Cornelius C. Schoonmaker, whose name frequently appears in previous parts of this history.

80. In 1820 the next building was a small brick building, put up by Peter Marius Groen for his son-in-law, Zechariah Schoonmaker, who occupied it as a law office until his death in 1818. Within the memory of the writer one of the rooms was occupied for an office of discount and deposit, as a branch of Isaac McKean's "Exchange Bank," of Poughkeepsie. David H. Burr was the branch cashier or clerk. One of the writer's earliest recollections is feeling quite independent with a silver sixpenny piece, and going

to the bank with an air of great importance to deposit it with Mr. Burr.

81. The next building on the opposite or west side of the street is the County Court House, same as it was in 1820, and occupying the same site as the one which was burned in the Revolution. The Constitutional Convention sat in the Court House in 1777, and there acted upon and adopted the Constitution as reported by the committee. The Constitution was read and officially promulgated at the front door.

82. Opposite the Court House on the east side of the street was a small one-story frame building, occupied about 1820 by Mrs. Carman for a dwelling and infant school.

83. Next to the last-mentioned building, and only four or five feet distant, stood one of the old stone houses. It was occupied in 1820 by Abraham I. Delamater as a dwelling, and he utilized a long frame building standing a little south of it and extending to the burying-ground as a hat manufactory and sale shop. The stone house in the Revolution was owned and occupied by Benjamin Low, and after being burned in 1777 was rebuilt.

The barn, which escaped the flames in the Revolution, was then still standing, a short distance in the rear of the shop, along the burying-ground fence.

84. On the west side of the street, and next south of the Court House, stood one of the old stone houses. In the Revolution it was the homestead of Johannis Freer. In 1820 it was owned by William S. Masten, and occupied by Simeon Mullen as a hotel. It had a frame addition on the south. It was afterward enlarged with frame additions several times, and occupied as a hotel by different landlords under the name of the Ulster County House. It was burned down a number of years ago, and the *Argus* and *Leader* offices now occupy its site.

In 1820 a room in the hotel was occupied by John N. Mizener, a barber, who moved in from some other locality. Being a new-comer, his presence was not agreeable to the old citizen who had theretofore, for a time at least, enjoyed a monopoly in the exercise of the tonsorial art, and who had therefore given vent to his dissatisfaction in a poetical effusion to be found at paragraph 112 of this chapter. Mr. Mullen's poet replied as follows :

“Blest is the Barber's lot ; with dexterous grace
He wields the razor and shaves thin the face ;
To others' jaws the razor doth apply,
To gain the food that may his own supply.”

85. The Reformed Dutch Church in 1820 stood at the northeast corner of Main and Wall streets. A description of the church has been given in another chapter.

86. On the northwest corner of Main and Wall streets stands a two-story frame double house. It was at that time owned and occupied by John Sudam. The house was built some years previous to that date by Mr. Sudam a few feet easterly of the old stone house burned down in the Revolution, which was then the homestead of Elias Hasbrouck, who was an officer in the Revolution, was with Montgomery in the Canadian campaign, and participated creditably in other campaigns and battles during the war.

John Sudam was in 1820, and had been for a number of years, one of the leading and most successful members of the bar of this county. He also took a very active interest in politics, and his reputation as a lawyer and a politician was not confined to this locality.

In 1823 he was elected to the State Senate, and was one of the so-called "immortal Seventeen" senators who defeated the electoral bill, which was designed to give the choice of electors for President and Vice-President to the people instead of their being appointed by the Legislature, as the law then stood.

He was again elected to the Senate in 1833. He died at Albany before the expiration of his term, in 1835.

87. Directly opposite and on the southwest corner stands one of the old stone houses, now converted into a store. It was owned by Dr. C. Elmendorf in the Revolution. In later years it was owned and occupied by John C. Wynkoop, a lawyer, and subsequently by William Radcliff. In 1820 it was occupied by his widow, Hannah Radcliff.

88. On the southeast corner of Main and Wall streets stood one of the old stone houses, the Dutch Church parsonage, a two-story double house. It was subsequently torn down when the congregation built the brick church on that corner.

At the southerly end of the parsonage lot and on the corner of Wall and Pearl streets stood a small frame building, just large enough to house one of the hand fire-engines of the village. The public officials of that day did not furnish their firemen with luxurious club-rooms, although they required them to turn out and practice once a month, so as to become, to some extent at least, skilled in their duty.

89. On the southeast corner of Wall and Pearl streets stands one of the old stone houses, owned and occupied in 1820 by Teunis Swart. It was burned and rebuilt in the Revolution.

90. The next building was one of the old stone houses, standing on the northeast corner of Wall Street and Maiden Lane. In 1820 it was owned and occupied by Joshua Du Bois, the court crier for many years.

91. On the opposite or southeast corner stood another of the old

stone houses in 1820, owned and occupied by an old lady, Grietje Dumond.

In that building, and in the third decade of this century, was published during its brief existence the *People's Advocate*, by Samuel S. Freer and Peter K. Allen.

92. On the southwest corner stood one of the old stone houses, since torn down to be replaced by a small frame two-story dwelling. It was occupied by Nicholas Vanderlyn in 1820.

93. Passing on we find one of the old stone houses at the northeast corner of Wall and St. James' streets. In 1820 it was owned and occupied by Charles Du Bois.

94. On the northwest corner of Wall and St. James' streets stood an old frame building, recently torn down, owned and occupied in 1820 by Conrad Crook.

95. Opposite on the southwest corner stood an old frame building occupied by Katie Hermance.

96. On the southeast corner stood the Hamilton homestead, occupied in 1820 by Benjamin Hermance, who married the widow.

97. The first building on Wall Street south of St. James' Street is one of the old stone houses. It was the homestead of Jacobus Masten, and was owned and occupied by him in 1820.

98. The next building, only a few feet farther south, is also one of the old stone houses. It was the homestead of Matthias Van Steenbergh. In 1820 he died in the occupancy of the building, and after his death it was occupied by his daughter Maritje.

99. The next buildings on Wall Street were the house and blacksmith shop of Martin Elmendorf, on the south corner of Big Vly Lane—owned and occupied by him in 1820.

100. On the east side of Wall Street, and nearly opposite the Big Vly Lane, stood one of the old stone buildings, occupied in 1820, and for many years previous, as a public house, and known as the Black Horse Tavern; so named from having a sign swinging and creaking in front on which was painted a black horse.

101. The last and only remaining building in the street is the old stone house, still standing, and which was the only house not burned by the British. In the Revolution it was the tavern and homestead of Tobias Van Steenbergh, Jr., and in 1820 was owned and occupied by one of his sons, Abraham T. Van Steenbergh.

102. Taking up Fair Street, and commencing at its northern terminus, at Main Street, on the west corner is the two-story brick building which in 1820 was owned and occupied by Mrs. Mary Tupper. In earlier years it had been the home of William Copp, who was printer of the *Farmers' Register*, a paper published in Kingston in 1792. He was afterward associated with Samuel Freer in the publication of the *Rising Star*, also printed before 1800.

103. The next building was the district school-house, standing on the west side of the street and about midway in the block. It was a one-story frame building, with gable to the street, the lower part divided in two rooms. The front room was occupied by Dirck Van Steenberg, the village gunsmith, and the rear room was the one in which William H. Dederick, the district school-teacher, held undisputed sway for many subsequent years. He succeeded Solomon Hasbrouck, who wielded the birch rod in that locality for nearly twoscore years before the advent of Mr. Dederick.

104. The next building, and standing on the northwest corner of Fair and Pearl streets, is the large double two-story stone house, which in 1820 was owned and occupied by Severyn Bruyn. At that time and until the failure of the bank, in 1826, Mr. Bruyn was the cashier of the Kingston branch of the Middle District Bank of Poughkeepsie. The lower room in the northeast corner of the house was occupied as the banking room.

105. On the opposite and southwest corner is one of the old stone houses, now the parsonage of the Fair Street Reformed Dutch Church. It was owned and occupied in 1820 by Peter Newkirk. Since that date, although not torn down, it has been remodelled and its appearance very much changed.

106. In 1820 the next house in the street was one of the old stone houses, standing on the northwest corner of Fair Street and Maiden Lane, fronting on Maiden Lane, with a frame addition extending along Fair Street. In 1820 it was owned by John Bogardus and occupied as a hotel by H. Tucker. It has since been torn down by James W. Baldwin, the subsequent owner, to give place to the imposing structure now occupying its site.

The old house had a history. In colonial times, during the Revolution, and for many years thereafter, under the catering of Evert Bogardus, it was one of the leading public houses in the place. It was, of course, burned in the Revolution, but speedily rebuilt. Tradition and history of late years have erroneously designated it as the place where the Constitutional Convention met and the Constitution was adopted. On the contrary, the official records of the convention clearly show that the convention met, that the Constitution was reported, discussed, adopted, and promulgated at the Court House. The Bogardus house was, however, the place where the first Assembly of the State of New York met, organized, and transacted its business in 1777, until scattered by the advance of the British. The Supreme Court having possession of the court-room, the Assembly organized and met at Bogardus's.

After the two great political parties were organized it was the headquarters of the Federal Party. The trustees of the corporation of Kingston for many successive years, before and after the Revo-

lution, held their regular meetings at that house. There also the commencement dinners given annually by the trustees of the academy were discussed.

107. On the southwest corner of the street stands a large two-story double stone house which was built by Edward Eltinge in 1807. In 1820 it was owned by Mrs. Lyburn, the mother-in-law of Mr. Eltinge. It was afterward purchased by A. Bruyn Hasbrouck and occupied by him until 1840, when he removed to New Brunswick to assume the charge of Rutgers College as its president.

In Revolutionary and colonial times the house upon that site was the homestead of Colonel Johannes Snyder, who entered the service of his country when the war for freedom commenced, and stood by it with honor and distinction until its close.

108. On the southeast corner of said streets stands one of the old stone houses, which in the time of the Revolution was occupied as a tavern by Conrad Elmendorf, familiarly known as Topper Conrad. That was for many years after the Revolution the Republican or Anti-Federal headquarters, and that corner has been the scene of many a personal encounter, resulting in black eyes and bloody noses, during the excited political contests in the early days of the republic. In 1820, or about that time, it was occupied by the widow and family of the Rev. Peter Low, deceased, who had served ably and acceptably a long pastorate in a Dutch Reformed Church on Long Island.

It was subsequently purchased by Madame Hardy, the mother-in-law of Judge John Van Buren, and occupied by him until his death.

That house was in 1820 the only house standing on the east side of Fair Street.

It will now be necessary to pass through the several cross streets in order to mention the intermediate houses therein, the corner houses having been already designated.

109. Commencing in John at Green Street, the first building on the south side in 1820 was the stone blacksmith shop belonging to Abraham G. Van Keuren, standing a few feet east of the stone house on the corner. It was occupied as a blacksmith shop in 1820 by J. H. & J. W. Baldwin.

110. The next intermediate house was one of the old stone houses, standing on the north side of the street some distance east of Crown Street, where the Van Etten law office now stands. It belonged to the Persen family in the Revolution, and was in 1820, and for many years previous, owned by Sarah Persen. In 1820 it was occupied by Jacob Masten, one of the constables of the town of Kingston.

111. In 1820 the ruin of the large and splendid homestead of

Nicholas Vanderlyn stood with its broad front facing Wall Street, at its then northern terminus, a monument of heartless, wanton British cruelty. The ruins indicated that the house had been an expensive, large, stone two-story building of the first class, with gambrel roof. According to the writer's recollection, it measured in front along the street at least from forty-five to fifty feet, with an appropriate depth. Such was the character of the masonry that in 1820, and until torn down in 1827, the rear and end walls were standing perfect and firm. The front wall had been torn down and the cellar thereby partially filled. When the ruins were finally removed for the opening of Wall Street, they exhibited wonderful



Jns Vanderlyn

solidity and strength; the mortar was nearly equal to the stones in firmness and strength.

After the destruction in 1777, Mr. Vanderlyn, not having the ability to rebuild, simply repaired the rear projection or annex, and afterward built a frame addition on John Street, against the east wall of the ruin, connecting it with the building in the rear. This building was, until about 1820, occupied by Nicholas Vanderlyn, one of the old gentleman's sons, using the west end of the addition in front as a paint shop. After Mr. Vanderlyn moved out it was occupied by Covill & Patten, the paint shop being turned into a bookstore and bindery.

The Vanderlyns were truly a family of painters. The elder Nicholas and his sons, Nicholas and John, followed that occupation, and they all not only exhibited a liking, but a talent; and the same talent followed into the succeeding generation.

In a room within those stately walls, before the vandal's torch had laid them bare, and on the 15th day of October, 1775, the celebrated artist, John Vanderlyn, first saw the light of day. That was his birthplace, and it does not seem proper for the local historian to pass it by without making an appropriate record of his triumphs and his genius.

John Vanderlyn very early exhibited a decided taste and talent for drawing. After receiving an academical education in Kingston Academy, he went to New York and entered a store in the employ of Thomas Barrow, at that time an importer of fine engravings. While in Mr. Barrow's employ, during his leisure hours he attended the drawing-school of Archibald Robertson. He spent a short time in the studio of the eminent painter, Gilbert Stuart. While there he made copies of Stuart's portraits of Colonel Burr and Egbert Benson, which were very much admired by those who saw them. Their existence and superior character soon came to the knowledge of Colonel Burr. But, in the mean time, Vanderlyn had left Stuart's on account of his poverty and inability to support himself there. Burr then wrote to a friend of his, Peter Van Gaasbeek, a resident of Kingston and member of Congress, a letter, of which the following is a copy :

“PHILAD. 21 June 1795

“MY DEAR SIR: I understand that a young Mr Vanderlyn, who lived a short time with Stuart the Painter, left him for want of means of suitable support. You must persuade him to allow me to remove that objection. If he was personally acquainted with me, he would, I am confident, accept this proposal without hesitation. I commit to you then, to overcome any delicacy which he may feel on this head. I shall never imagine that I have conferred on him the slightest obligation, but shall be infinitely flattered by an opportunity of rescuing genius from obscurity. He may draw on J B Provost New York, for any sum which may be necessary for his outfit, and on his arrival in this city, where Mr Stuart now lives, he will find a letter from me, addressed to him (Mr Vanderlyn) pointing out the channel of his future supplies, the source of which never will be known except to himself. I acknowledge that I would not have communicated this even to you, if I had known how otherwise to get at Mr V. D. L. I beg you to consider it as confidential. This arrangement is intended to continue as long as it may be necessary, for Mr V D L to cultivate his

genius, to the highest point of perfection. From the inquiries I have made, concerning him, I have been led to believe that his character and talents are such, as may do honor to himself his friends and his country.

“Your aff'ct Servt

“A BURR

“*P. Van Gaasbeek.*”

This letter was found among some papers which came into the hands of Peter Marius Groen, the grandfather of the writer of this history, as administrator of the said Peter Van Gaasbeek.

After this, and in the spring following, Vanderlyn visited New York, and received at his lodgings a note without signature directing him to call in the morning at a certain office in Church Street at a specified hour. He did call, and found the place to be Colonel Burr's office. He found J. Bartow Provost, the stepson of Colonel Burr, there. On being shown the note, Mr. Provost recognized Colonel Burr's handwriting, and he directed Mr. Vanderlyn to Colonel Burr's house.

The result of the interview with Colonel Burr at the house was that Mr. Vanderlyn spent some months with Mr. Gilbert Stuart to enjoy the benefit of his tuition in order to prepare him for the full advantages of the European schools. While there he made copies of several paintings, among them one of Mr. Stuart's Washington, which is now owned by a son of the writer. He also before going to Europe painted for his patron a portrait of his idolized Theodosia Burr, which was until recently in the possession of Mr. Vanderlyn's niece in Kingston, and now graces the walls of some gentleman's parlor in New York City.

In the fall of 1796, under the patronage of Colonel Burr, he went to Paris and availed himself of the benefit of its schools, which were then in very high repute. He remained four years, prosecuting his studies with great ardor and marked success.

In 1801 he returned to the United States, and the next year visited Niagara and made sketches of that great cataract, one giving a view of the entire falls, including Goat Island, the other giving the western or main branch only. The next year he went to England, and had those views handsomely engraved. From thence he went, with his friend and fellow-artist, Washington Alston, to Paris. There, in 1803, he painted his first historical sketch, the murder of Jane McCrea. In 1805 he went to Rome, and there painted his great masterpiece, Marius on the ruins of Carthage. In a letter to a friend, Joseph C. Cabel, of Warrenton, Va., dated Paris, February, 1808, he alludes to the picture as being in course of transportation to Paris, and thus speaks of it: “It is the only

picture, of any consequence, I painted in Rome or elsewhere, size is about 5 by 7 feet, and represents C Marius on the ruins of Carthage, a single figure, surrounded by ruins, for which those in Rome are capable of giving me hints. I was a good deal flattered with the applause and approbation it met with in Rome, which exceeded my expectations, no small consolation to a poor artist, as needy in fame as in finances." After its arrival in Paris he placed it on exhibition in the Louvre, and for it he was awarded the first gold medal by Napoleon, while hanging there in competition with the works of artists from all other countries.

He remained in Europe until 1816, during which interval he painted his *Ariadne*, a figure of marvellous beauty, of which the following description appeared in September, 1822, in the *Charlestown Courier*: "No man of taste and sensibility, no student of love and beauty, no connoisseur of graceful form should fail to gladden his eyes, to charm his fancy, and refresh his imagination with the exquisite performance of Mr. Vanderlyn, where the sleeping and unconscious *Ariadne* is sweetly reclining. Her dark raven locks entwined within her arms—the flush of health, like the dawn of day, upon her cheek—her crimson lips hiding her teeth of pearl—the fine mould of her features and of her form—the pure white of her skin—are all subjects of eager attraction and awakening interest." He also during that time executed a number of fine copies from old artists. The troublous times in Europe were not favorable to the success of the arts, so that he barely supported himself by portrait painting during that time. In 1816 he returned to America, and here he painted his panorama of the Garden of Versailles, from sketches made by himself while in Paris. He procured the lease of a lot from the Common Council of New York City, in the northeast corner of the City Hall Park, on which to erect a building for the exhibition of his paintings and panoramas. The erection of the building involved him in great pecuniary embarrassment, from which he had not recovered when his lease expired. The Common Council refused to renew, and after that he spent much time in fruitless efforts to obtain remuneration from the city for his building, and was forced to submit to cruel injustice at their hands. In reference to such treatment by the Common Council he thus wrote to a friend in his native place: "After many years of untiring effort to retrieve the Rotunda, by relieving it from the debt which remained unpaid, to be ultimately dispossessed of it, at a time when friends had come forward to aid me in liquidating such debts, or securing the payment of them, to the satisfaction of the creditors, and with such a fair prospect of relieving the institution, and seeing it again in active and successful operation, one may judge of the pain and mortification, which I felt, when

ordered to quit the premises by an act of the corporation in 1829. The sense of wrong and injustice done me on this occasion was almost too much to be borne, and would have driven many a mind to distraction and madness ; and although I have borne up against it, nevertheless, it has inflicted upon my feelings and interests, an irreparable injury, sufficient to break down any generous spirit." He never recovered from that unkind blow ; it soured his spirits for life. Mr. Vanderlyn painted a number of portraits which hang in the City Hall in New York—a full-length portrait of General Jackson, one of President Monroe, and also one of Governor Yates, for which he received \$500 each. He painted Washington's portrait for the hall of the House of Representatives. For that an appropriation of \$1000 had been made, but when it was exhibited in the Capitol, such were found to be its merits that the House, immediately and unanimously, voted Mr. Vanderlyn an additional compensation of \$1500.

In 1839 he was commissioned to fill one of the panels of the Rotunda in the national Capitol. He chose the landing of Columbus, and left the same year for Paris. There he remained seven years working upon his picture, and returned in 1847. Through the unfaithfulness of an agent he lost nearly one fourth of the compensation he was to receive for that great work from Congress. Thus was he again the victim of injustice and wrong. Thereafter until his death he earned a scanty support by portraiture, and died in poverty.

During the spring and summer of 1852 he was in Washington endeavoring to procure the passage of a law authorizing him to erect a building on some of the public grounds near the Capitol for a gallery of the fine arts and exhibition of paintings. In that he was entirely unsuccessful. During his stay there he made copies of some old paintings, and also painted a few portraits ; and during that time at Washington he painted portraits of the writer and Mrs. Schoonmaker.

After the adjournment of Congress he returned to Kingston. Shortly thereafter, and in the afternoon of the 23d of September, 1852, he called at the house of the writer in Kingston and spent a couple of hours in social converse with him and his family. The next morning he was summoned from his breakfast-table by a messenger with the tidings of Mr. Vanderlyn's death. He had just been found in his room at the hotel lying in bed a corpse, with his hands raised and in position, as if holding the brush in the very act of transferring to canvas one of the fine artistic touches of his pencil.

The village corporation assumed the direction and expense of his burial. By request an eloquent tribute to his memory was pro-

nounced by the Rev. Dr. Cornelius D. Westbrook to a large, crowded audience in the largest church in the place, after which his body was interred in "the Wiltwyck Rural Cemetery." There his remains are mouldering to dust without a monument to mark their resting-place. That neglect certainly cannot reflect the reverence of the citizens of Kingston for native genius and talent.

Vanderlyn's masterpiece, Marius on the ruins of Carthage, together with the gold medal, were disposed of by him to a friend, Leonard Kip, of New York, during his pecuniary embarrassments, and he was never able to redeem them. Upon the death of Mr. Kip they passed into the possession of his son, the Rev. William I. Kip, who was afterward elected Bishop of California, and he carried the picture with him to the Pacific slope. He has since sold the same, but it is understood that he declines to state where or to whom, so that the writer is unable to state where it now is. His letter of inquiry on the subject remains unanswered.

112. The east end of the annex to the Vanderlyn ruins was occupied as a barber shop. In that place Henry Columbus, a colored knight of the razor, had held undisputed sway for many years with no competition to trouble him. After he had paid the debt of nature, Peter Kiefer, a native of the village, took his place; but his experience was not so smooth and easy, as appears from the plaintive song contained in his advertisement:

" Hard, hard may be a Barber's lot
When Interlopers come,
But persevering Industry
Will always overcome."

(For the answer of the interloping Barber, see No. 84.)

113. The next building stood on the same side of the street a few feet to the eastward, a low, narrow frame building with gable to the street. It is understood to have been built only for temporary occupancy while the next-mentioned stone house was being rebuilt after the fire. In 1820 it was occupied by William S. Burhans, a farmer, as tenant.

114. On the west corner of John and Dove streets was one of the old stone houses, the old homestead of Oke Sudam, father of John Sudam. It is still standing. It was in 1820 owned and occupied by Wilhelmus Tremper.

115. Directly east on the opposite corner of Dove (usually called "Dover Straatje") and John streets stood a long, one-story frame building, the Chipp homestead. In 1820 it was owned and occupied by James Chipp, the west end as a dwelling, the east end as a carpenter shop.

116. Dove Street then was a very narrow street (and for that reason called *Dover straatje*), extending from this point in John

Street to North Front Street. There was one building in the street; that was a small frame house standing about midway on the east side, occupied for many years by John Dumond, afterward by William Shaw.

117. Next to and adjoining the Chipp house on the east was and is still standing one of the old stone houses. In 1820 it had been owned and occupied for many years by Jacob Eaman. There was a frame addition on the east end used by him as a saddle and harnessmaker shop.

118. The only building in 1820 on the south side of John Street, except the corner houses and blacksmith shop already mentioned, was the old stone house still standing, but altered with a brick front, nearly opposite the Eaman house. It was the homestead of Henry J. Sleght, and at the date above mentioned was owned and occupied by Henry Chipp.

119. Passing over to Main Street and commencing at Green beyond the corner house already mentioned, stood and still stands one of the old stone buildings, owned and occupied in 1820 by Jacobus Elmendorf.

120. Nearly opposite on the south side of the street stood one of the old stone houses, which had been the dwelling of John Van Steenbergh, the elder, and subsequently and in 1820 was occupied by his son, Peter Van Steenbergh, a watchmaker. His shop was in a small frame addition at the east end. It has been of late altered and a brick front given by D. E. Brodhead, its then owner. In Revolutionary times it was the property of Tobias Swart.

121. Passing to the east, the first house beyond the parsonage was a two-story frame double house, occupied in 1820 by Conrad C. Elmendorf, Jr., a tailor, commonly known as "Crepler Coon." It was afterward occupied by the widow of James Hasbrouck, and subsequently torn down to make room for the new parsonage of the First Dutch Church. At the burning of Kingston the place was the homestead of Johannis Van Keuren.

122. Next, and about midway to Fair Street, stood a small frame building, gable to the street, occupied by Samuel Elmendorf, a painter.

123. On the north side of the street, nearly opposite the last-named house, was one of the old stone houses, occupying a square lot apparently carved out of the southeast corner of the burying-ground. It was a small stone house, and at the time of the Revolution was the homestead of Jacobus Low. In 1820 it was occupied by Mrs. Weller as a dwelling and millinery.

124. A few feet east of the last-named building was one of the old stone houses. In the Revolution it was the homestead of Petrus Bogardus, and afterward occupied by Johannis Low. In

1820 it was owned and occupied by John Chipp, who subsequently tore it down and put up a frame two-story double house in its stead. That is also now removed.

125. Next east, and only four or five feet distant, stood what was known as the "Molly Elmendorf ruin;" and there it stood, walls firm and solid, by no means "crumbling," until about 1836, when it was torn down at the opening of Fair Street through to North Front Street. It had evidently, before it was burned by the British, been an uncommonly large and commodious two-story stone building. It was not rebuilt; there had been only a few rooms finished in the kitchen part in the rear. They were occupied in 1820 by Bela Brewer, a stone-cutter.

126. Next east stands one of the old stone houses, which in the early part of the century was occupied by Major Dezing, who had been a Hessian officer in the British army in the Revolution. He remained in this country, and after peace married a Miss Lawrence, from Long Island, and moving here he occupied that house for a number of years. Subsequently it was occupied by Mr. Severyn Bruyn, and in it was kept for several years the office of discount and deposit of the branch of the Middle District Bank. It from that circumstance acquired the name of the "Bank House." Mr. Bruyn continued there until his removal to the corner of Pearl and Fair streets. About 1820 it was occupied by Hon. A. Bruyn Hasbrouck, who remained there until his removal to the Eltinge house, corner of Fair Street and Maiden Lane. After that it was occupied a short time by a man by the name of Williamson, who proved to be an English fugitive from justice. When the officers came after him, upon the principle that "his house was his castle," he held himself locked up, and kept the officers at bay for some time, but was finally forced to surrender, and was carried off.

In that building also, in the year 1826, was commenced the publication of the *Ulster Sentinel* by the Hon. Charles G. De Witt. During his editorship it was one of the most ably conducted papers ever published in the county. He was a man of much talent and a ready writer. He was a son of Charles De Witt, so frequently mentioned during the Revolutionary period. He was a member of Congress in 1829, and was sent by General Jackson on a mission to Central America.

127. A short distance farther east, and on the south side of the street, stands a frame dwelling. It was originally built some years prior to 1820 by Andrew Story as a store. It was afterward converted by him into a dwelling, and occupied for several years as a residence by Christopher N. Kiersted prior to his removal to New York.

128. In Pearl Street, commencing at Green, the first house

reached not already noticed is one of the old stone houses, situated about one hundred feet east of Wall Street. It is a small one-story stone building with a frame addition at the east end. In 1820 it was owned and occupied by Edward Green, the west part as a dwelling, the east end, or frame part, as a shoe shop. In colonial times it was the homestead of Thomas Houghteling.

129. The next building in the street not already noticed was a one-story frame building situated on the north side of the street a short distance east of Fair Street. It was in 1820 owned and occupied by Thomas G. Van Steenberg.

130. A little farther to the east on the opposite side of the street is one of the old stone houses. It was owned and occupied in 1820 by Truman Cowles. In that building Jesse Buel commenced the publication of the *Plebeian* in 1802, and continued its publication there until his removal to Albany and the establishment by him of the *Albany Argus* in 1813. The building is now owned by the Sahler family.

131. Passing to Maiden Lane and Green Street, the first building to the east not already noticed was one of the old stone houses. It is still standing, and in 1820 was owned and occupied by Solomon Hasbrouck. In the Revolution it was the homestead of Dr. Thomas Jones.

132. Passing to the eastward, the next building not already noticed which was standing in 1820 is the two-story double frame house standing on the west corner of Maiden Lane and Pine Street. It was owned and occupied by John Hitt as a dwelling-house and store, originally built about 1812.

133. Nearly opposite, a little farther to the east, is a large two-story double stone house, one of the old stone houses, and in 1820 it was owned by Justus Burr and occupied by J. & J. W. Baldwin for painting and cabinet and chair manufacturing.

134. Passing to the east a short distance beyond the Vosburgh house, fronting the first plains, stood two small frame buildings, the one occupied by Philip Dumond and the other by Abraham Post.

135. A little farther to the eastward, and what was in 1820 the corner of Maiden Lane and the second plains, stood the frame store-house and dwelling of Philip Van Keuren, the dwelling part of which is still standing. (By error on map marked 133.)

136. On the southeast corner of Maiden Lane and Pine Street stood the small frame dwelling of James Fairbanks, with his blacksmith shop standing a few feet farther eastward.

137. Returning to Green Street at its junction with St. James' Street, there was a small frame building on the south side of St. James' Street and directly fronting Green Street, occupied by a tenant. It belonged to the Du Bois tannery property.

138. Passing eastward beyond Wall Street, a short distance beyond the Hamilton house, stood two small frame buildings on the south side of the street. One was the Benjamin Sawyer homestead, and the other was occupied by a tenant.

139. Next was a small stone house standing on the south side of the street and directly in front of the then terminus of Fair Street. It was one of the old stone houses and the homestead of Benjamin Elmendorf. In 1820 it belonged to the Isaac De Witt estate, and was occupied by a weaver named Sleght.

140. The next building on the same side was a one-story frame house, owned and occupied by Henry Houghteling. It stands on the southwest corner of Pine Street.

141. On the opposite and southeast corner of Pine and St. James' streets stands one of the old stone houses, gable on St. James' and fronting on Pine Street. It was the old homestead of Teunis I. Houghteling, and was occupied by him in 1820 with a frame wagon-maker's shop at the south end thereof on Pine Street.

At this place Pine Street terminated in 1820, about two hundred and fifty feet south of St. James' Street, in a *cul-de-sac*, with the colored burying-ground on the west side thereof, in the rear of the Henry Houghteling property.

142. On the northeast corner of St. James' and Pine streets stood a small house, claimed and occupied by Robert Johnston, a printer.

143. On the south side of St. James' Street, a short distance to the east of the Teunis Houghteling house, stands one of the old stone buildings, and is the old Van Keuren homestead, and in 1820 was occupied by the widow of Matthias Van Keuren.

144. Passing on to the east beyond Clinton Avenue, a short distance from the Johannis M. Van Keuren house, stood an old frame building, the homestead of John Hermance.

145. A little farther east stood a small frame building, the homestead of Jeremiah Plass. It is still standing.

146-147. Farther to the east, on the south side of the street, was another *cul-de-sac* extending southerly about two hundred feet. Within the *cul-de-sac* and on the west side thereof stood the residence and blacksmith shop of Adijah Dewey. The residence is still standing. It was at that point that Prospect Street was opened, and extended at a subsequent period.

148. On the north side of St. James' Street, nearly opposite the *cul-de-sac* Prospect Street, stands a two-story double stone house. In 1820 and previously it was the homestead of Henry V. Masten.

149. On the easterly corner of the *cul-de sac* and St. James' Street stands a one-story frame house, for a number of years the homestead of a part of the Thomas Van Gaasbeek family.

150. East of the last house and on the corner of Union Avenue

stood three frame buildings compactly built, the one on the corner owned and occupied by John Chollett for a dwelling, store, and bakery. Next toward the west was the dwelling of one Marsh, and next to that the dwelling of Garret Krom.

The two last-named houses stood fronting the open, unenclosed commons, called and known as the second plains. This plains was bounded on the northeast by what is now known as Albany Avenue, on the west by the Philip Van Keuren store, standing at the end of Maiden Lane, and the Masten house in St. James' Street, and the fence extending in a direct line from one to the other; on the south by St. James' Street, and southeast by the fence, as it then stood, running in a straight line from the fence on the east bounds of the Albany road to the Cornelius Burhans house, which is still standing, and thence the same course continued to the Strand Lane, now Union Avenue. St. James' Street then extended northerly across the commons to the Albany road by a simple wagon track, and so did the Strand road to the Philip Van Keuren store.

151. A little to the west and on the opposite side of the first plains in 1820 stood the homestead of Peter Dumond. It is still standing. At that time there was no other house standing on the north side of either the first or second plains. In that house, beneath its large cellar or basement window, stood a weaver's loom, upon which most, if not all, the rag carpets then in universal use in the village were woven. Erroneously marked on map 136.

152. The Burhans house above mentioned was a one-story frame house, and is still standing. In 1820, and for many years prior and subsequent, it was the homestead of Cornelius Burhans.

153. Passing from the Burhans house northward, at or about the point where the Burhans fence struck the Albany road, stood a small frame house, the homestead of Matthew Van Keuren.

154. Passing up the Albany road a short distance, there is standing on the west side thereof a large two-story double stone house, built by Jacob Ten Broeck in 1803, and occupied by him as his homestead until his death.

155. Beyond the Jacob Ten Broeck house, standing some distance west of the Albany road, was an old stone house, occupied in the Revolution by Mr. Lefferts, a Tory. It was spared from the conflagration. In 1820 it was owned by Leonard Kip, of New York, and occupied by George Ingraham and his sisters.

156-157. Passing again to Green Street at the junction of Pearl Street, and going toward the west, at the bottom of the hill stood an old tannery not in use. A little farther on the left side of the road stood and still stands an old stone house, in 1820, and thence-

forward until his death the homestead of the old school-teacher, William H. Dederick.

158. A short distance farther on, at the left-hand side of the road, stood and still stands an old stone house, the homestead of Johannis Masten. It was in 1820 occupied by his two unmarried children, John and Eliza.

159. Returning toward the village on the north side of the road, but a short distance therefrom, and nearly in range of the Dederick house, stands one of the old stone houses. It was the homestead of Cornelius Masten.

Wall Street on the south end terminated in the highway leading to Twaalfskill. After leaving Kingston village the first building was situated on the west side of the road at the foot of the hill, where the brook leading from Jacob's Valley crossed the road. It was the dwelling-house of and occupied by Jeremiah Du Bois, and there was a small carding machine situated on the brook upon the opposite side of the road. Next a little farther on was reached the Pine mill-pond, at the foot of which, on the right-hand side of the road, was the grist-mill of James Pine, on the opposite side of the road a small building connected with the mill, and a short distance farther down the Pine dwelling-house. A very little farther on was reached the De Witt mill-pond; at the foot of that was the De Witt grist-mill, and directly on the opposite side of the road a small one-story stone house, the residence of the De Witt family. At the junction of the Twaalfskill with the Rondout, standing directly by the creek, was a frame house called the Ricketson house. A few hundred feet farther up the creek the road terminated at a scow ferry across the creek kept by John Hamilton, his house standing on the bank above. That is all there was of Twaalfskill (now called Wilbur) at that time.

160. Taking the Strand road, what is now called Union Avenue, and passing over it to what is now called Rondout, then called by some the Strand, by some Kingston Landing. The first building, after leaving St. James' Street, was a two-story unfinished double frame house, with cellar under the whole. The roof was on and building sided up and window-frames in; some of the floor timbers were in, but in other respects it was entirely unfinished. It had the appearance of having stood so for a number of years, and was called "Ketchum's folly."

161. Next was a small single one-story building, still standing, occupied by a man by the name of Thompson, a shoemaker, as a dwelling and shop.

162: Next, a short distance farther down, was a similar building, still standing, occupied by William Van Buren. There was a blacksmith shop standing near. After that there was no building

on the right-hand side until you came to the Margaret Smedes house, which was just beyond the O'Reilly house. On the left-hand side there was but one house between St. James' Street and Margaret Smedes. That was the one-story building which stood near where the West Shore Road now crosses Union Avenue. It was formerly owned and occupied by some of the Schepmoes family.

After leaving Margaret Smedes's there were only three small frame buildings on the right side of the road and none on the left before reaching the forks of the road. At the forks of the road was the house which still stands there. It then had an addition running toward the Strand road. It was occupied by a man by the name of Kendall, and he had up a tavern sign. Then, passing on toward the Strand, on the right-hand side at the top of the last hill was a small frame house occupied by Peter Van Gaasbeek, Jr. After passing that house there was no other until the foot of the hill was reached ; there, adjoining the road on the right, was the dwelling of William Swart ; on the left was a large two-story frame house called the Jewel house ; at the foot of the road on the dock was a heavy stone storehouse of William Swart. A short distance below on the dock stood a dwelling-house occupied by a man by the name of Wood, gable to the street ; next came the two storehouses of Abraham Hasbrouck.

The dock projected a few feet beyond the lower storehouse, and next to that was the landing on the flat of the scow ferry from Esopus, across the creek.

The house of Mr. Abraham Hasbrouck, the proprietor of the freight line and the owner of the lands on the east of the road to Kingston, stood up from the dock about opposite to his storehouses, and on a line with the Jewel house. Farther in the rear and on a back road stood his farm-house and his flouring mill. That is all there was then of the Strand or Kingston Landing.

There was not any road along the shore down the stream, but the road passed to the east over a narrow dug way about midway up the mountain to Ponckhockie. There existed a small dilapidated dock, with a red unoccupied storehouse fast going to ruin. On the hill was the homestead of William Tremper (usually styled "the Citizen"). That was a two-story double stone house, which is still standing, having of late years been thoroughly repaired and enlarged by Mr. George North.

At the place where the Rondout road, through Ponckhockie, struck the Kingston road to Columbus Point, and on the north side of the road, stood a one-story old stone house, the old homestead of Moses Yeomans, then, in 1820, owned and occupied by Wilhelmus Hasbrouck.

Thence proceeding eastward toward Columbus Point, and descending the steep clay hill, there could be seen a short distance to the north of the road a small red cottage behind a row of tall poplars. There old "Toontje" and his wife reigned supreme. There it was that they manufactured the molasses candy with which they gladdened the hearts of the children, once or twice a week, at the rate of a penny a stick. The candy was always noted for its invitingly delicate yellow hue. That was obtained by skilfully stretching it across the thumb-latch of their door, and occasionally during the process anointing the palms of their hands in the usual way, to hold fast. After reaching the bottom of the hill, and thence traversing the pole road laid across the swamp, to reach the rocky bluff, there were only to be found some seven or eight stone houses, at least one half of them unoccupied and falling in ruins, besides two dilapidated frame storehouses unoccupied on the dock. That is all there was at that time of Columbus Point, and the imaginary castles which beamed out in the fancy of Moses Cantine and his purchasing friends, when examining the map made of that rocky bluff and level marsh by Christopher Tappen in 1796 for Mr. Cantine, dividing it up into avenues, streets, squares, and corner lots, and the beach into water lots reaching to the channel of the river. Although founded on rocks, the airy castles had crumbled and dwindled, as if their foundation had been nothing but sand.

The dock formed a passable landing place for the steamers passing up and down the river, by small boats sent ashore and drawn in by tow-lines. It also furnished a landing place for the ferry-boat running to and from Rhinebeck. Until about that time the ferry-boat in use was a periagua. In November, 1819, the *Ulster Plebeian* contained the following editorial relating to the ferry :

"A horse-team boat, between Poughkeepsie and the opposite shore in New Paltz, is now daily in successful operation ; similar institutions, have been established between New Burgh and Fishkill, and Hudson and Athens. It only remains for us to lament, that a like boat was not also instituted between Rhinebeck and Cantine's Dock."

At Eddyville, the head of navigation upon the Rondout Creek, a portion of the water-power was utilized in driving the machinery of a cotton factory then standing just below the falls, now in ruins. In addition there were in the vicinity three or four convenient buildings for the accommodation of the proprietor and his operators. A few hundred feet below the falls, and at the head of navigation, was a dock on which was located a large storehouse.

There was no road at that time down the stream from Eddyville on the shore of the creek, and the only road to Kingston was directly across the mountain, striking the Greenkill road at the

southerly end of the Black farm, between two and three miles from the then village.

Such is a truthful account of the condition of Kingston at the time at which this history closes. The great and wonderful changes which have taken place since that time in the character and condition of the place can only be fully appreciated by those who can claim familiarity with the place then and now. The men of to-day know the enormous trade and business now centering at this point, which almost every working day in the year, except during the suspension of navigation, exceed the commercial transactions of the entire year in the second decade of this century.

CHAPTER XXVI.

ANCESTRAL NOTES.

IN the preparation of this chapter the writer is indebted to Cornelius H. Van Gaasbeek, Jr., of this city, for much of the material contained in it. It is regretted that there are omissions and that it is not more perfect in detail than the writer has been able to make it. Unable to procure access to needed records, he asked for information through the public press, which met with only a single response.

BEEKMAN.—The ancestor of the Beekman family was Wilhelmus Beekman, who was born April 28th, 1623, at Hassett, a town in Belgium. The names of his parents were Hendrick Beekman and Maria Bandartius. Wilhelmus came to this country in 1647, and on the 5th of September, 1649, at New York he married Catalina De Boog, from Amsterdam. His children were :

Maria, who married, May 5th, 1672, Nicholas William, son of Governor Peter Stuyvesant.

Hendrick married, June 5th, 1681, Johanna Lopers.

Gerardus married, October 25th, 1677, Magdalena Abeel.

Cornelia married, September 19th, 1674, Isaac Van Vleck.

Johannis married, March 4th, 1685, Altje Thomas Poppinga, daughter of Thomas Laurensen Poppinga and Maritje Janse. He came to Kingston in 1699, and was the direct ancestor of the Kingston branch of the Beekman family. His grandson, Johannes, who married Lydia Van Keuren, October 20th, 1750, was the father of Tjerek Beekman, and his other grandson, Cornelis, married, July 17th, 1757, Katrina Schoonmaker.

BLANSHAN.—Matthys Blanshan, from Artois, embarked with his wife, Madeline Jorisen, and three children on the 27th of April, 1660, in the ship Gilded Otter for this country. On his arrival he came to Esopus. He subsequently moved to Hurley and followed his occupation as a distiller. Of their children

Katryn married Louis Du Bois.

Matthys married, March 30th, 1679, Mary C. Van Schoonhoven.

Magdalena married, September 28th, 1667, Jan Matthysen Jansen.

Elizabeth married, October 27th, 1668, Peter Cornelis Low.

BOGARDUS.—The Bogardus family in this vicinity is descended from Dominie Everardus Bogardus. Soon after he came to this country from Holland, and in the year 1633, he became the first settled minister in the Dutch Church at New Amsterdam. In 1638 he married Anneke Janse, the widow of Roeloff Janse. They had four children, all sons.

Willem, who married, August 29th, 1659, Wyntje Sybrends. After her death he married a daughter of Nicasius de Sille.

Cornelis married Hellena Teller.

Jonas died unmarried, and

Peter married Wyntje Bosch, of Albany.

BRINK.—The ancestor of the Brink family was Lambertse Huybertsen, of Wageningen, who sailed for this country in December, 1659, with his wife and two children; a third was born on the passage. The name of his wife was Hendrickje Cornelis. He afterward assumed the name of Brink. His children's names were Huybertse, Cornelis, Peter, Jenneke, and Elizabeth.

Cornelis married, April 28th, 1685, Marritje Egberts.

Jenneke married Cornelis Cool, and

Elizabeth married Arien Gerritsen Newkirk.

BRODHEAD.—Captain Daniel Brodhead with his family came over to this country in the English expedition sent out by the Duke of York in 1664 under the command of Colonel Nicolls. He settled in Kingston, and had the command of the English garrison at that place.

His son, Charles Brodhead, married, November 14th, 1693, Maria, daughter of Wessel Ten Broeck. Of their children

Daniel married Hester Wyngaard, of Albany.

Charles married, December 23d, 1725, Maria, daughter of Colonel Johannes Hardenbergh and Catrina Rutsen.

Maria married, June 27th, 1724, Johannes De Witt.

Wessel married, January 25th, 1734, Katrina, daughter of Louis Du Bois and Rachel Hasbrouck.

Another branch of the Brodhead family is descended from Charles Brodhead, who came to this country about the middle of the eighteenth century and settled in Shawangunk, Ulster County.

BRUYN.—The Bruyn family is descended from Jacobus Bruyn, who emigrated to this country from Norway about the year 1660.

He married Gertruyde Ysselstein, of Columbia County, a lady of German origin, and afterward removed to Shawangunk, Ulster County.

Their youngest son, Jacobus, on the 18th of November, 1704, married Tryntje, daughter of Jochem Hendrick Schoonmaker and Petronella Slecht.

Their son, Sovereign Bruyn, born May 25th, 1726, married Catharine, daughter of Johannes Ten Broeck and Rachel Roosa.

Their son, Jacobus S., born in 1751, was lieutenant-colonel in the Continental line, and resided in North Front Street, Kingston.

BURHANS.—The author acknowledges his indebtedness to Samuel Burhans, Jr., of New York, for the facts comprised in the following notes of the BURHANS family. Jacob Burhans, the ancestor of this family in this country, was a soldier in the company of the director-general in the Netherlandish service at Esopus in March, 1660, and also third on the list at the first organization of the Church in December of the same year. He lost two houses at the burning of Kingston in 1663, and served as schepen in 1666 of the court at Wiltwyck. He died about 1667.

His son, Jan Burhans, sailed for this country in the ship Bontekoe on the 16th of April, 1663. In the year 1675 he married Helena Traphagen, daughter of Willem Traphagen. Of their children,

Janneke married Pieter Du Bois.

Hillitje married Edward Whitaker.

Barent married Margariet Jans Matthyesen.

Johannes married Margreit Leg.

Elisabeth married Jan Hendrickse Alberts Ploeg.

Willem married Marritje Ten Eyck, and after her death Catharina Cool.

Abraham married Annatje Osterhoudt.

Isaac married Neeltje Westphael.

Samuel married Jenneke Brink.

David married Debora Van Bommel.

Jan was a public man like his father, a soldier, magistrate, and member of the Church. He died before October, 1708.

The above-named Samuel, son of Jan, was the progenitor of the Kingston branch. He was married on the 16th of December, 1720, to Jenneke Brink, daughter of Cornelis Lammertse and Marritje Egberts. Samuel died on the 16th of October, 1732. Of their children,

Helena married Adam Swart.

Annatje married Jacob Elmendorf.

Jan married, on the 2d of December, 1749, Catharine Whitaker,

daughter of Edward Whitaker, Jr., and Jacoba Hardenburgh. Of their children,

Edward married Bretje Blanchan.

Samuel married Margaret Jerolomon.

Jan married Maria Dumond.

Jacoba married Matthew Blanchan.

Cornelis married Maria Ten Broeck.

Jannetje married Benjamin Turek.

Petrus married Helena Folant.

Catharine, the wife of Jan, having died on the 6th of February, 1773, he married Sarah Van Aken. Of their children,

Isaac married Neeltje Hermanse, and after her death he married Helen Van Arnham.

Catharine married Peter C. Brink.

Jan and his four sons, Edward, Samuel, Jan, and Cornelis served in the State troops and Continental Army. Edward and Samuel enlisted early and served in the Continental Army during the war. At the close of the war Samuel settled in New Jersey, and is the ancestor of Samuel Burhans, Jr., who has kindly furnished the preceding data.

Cornelis Burhans, the above-named son of Jan, on the 16th of August, 1789, married Maria, daughter of Jacob Ten Broeck and Geertje Smedes. Their children were Elizabeth, Jacob, Maria, Catharine M., Ann, and Edward.

CANTINE.—Moses Kantyn was the original representative of the Cantines in this country. He emigrated from Bordeaux, France, to England, and from thence to America.

His son, Pieter Kantyne, on the 20th of September, 1703, married Elizabeth, daughter of Matthys Blanshan, Jr., and Margaret Schoonhoven. They had thirteen children.

Moses, the oldest, December 1st, 1739, married Maria Slecht, of Dutchess County.

Matthew married, December 9th, 1744, Katrine Nottingham.

The other children were Nathaniel, Abraham, Peter, Daniel, Johannes, Margaret, Elizabeth, Marritje, Cornelia, and Katrina, besides one who died in infancy.

COLE.—There are two branches or Cole families in this country descended from different ancestors.

Barents Jacobsen Cool resided in New York. He had a large family of children, as shown by the baptismal record in New York from 1640 to 1657.

His son, Jacob Barentsen Cool, settled at Esopus and married Marritje Schepmoes. They left numerous descendants.

The other branch of the family is descended from Teunis Bar-tiansen Cool, who came to this country with his son in 1663 in the ship Spotted Cow. He died the following year, leaving his son an orphan at the age of eight years.

This orphan, Cornelis Teunisse Cool, afterward married Jan-neke, daughter of Lambertse Huybertse Brink and Hendrickje Cornelis. He lived at Hurley, became a large dealer in real estate, and the owner of much property.

CRISPELL.—The ancestor of this family, Anthony Krypel, came with his wife to this country from Artois, in France. They embarked in the ship Gilded Otter on the 27th of April, 1660. His wife was Maria, daughter of Matthys Blanshan. He was one of the twelve original patentees of the New Paltz Patent, and left a numerous posterity.

DE MYER.—Wilhelmus De Myer resided in Kingston before 1683. He had a son Nicholas, who died in the year 1769, leaving two sons, Benjamin and Jeremiah. Benjamin died about 1802, leaving two sons, John De Myer and Nicholas De Myer, and two daughters, Elizabeth, the wife of Martin G. Schuneman, and Polly, who afterward married John Souser.

DEPUY.—The ancestor in this country of the DePuy family is Nicolas du Pui, from Artôis, France. He set sail in October, 1662, for this country in the ship Purmerland Church with his wife, Catrina De Voz, and three children, Nicholas, John, and Moses. He settled on Long Island. The sons Nicholas and John remained in the vicinity of New York. Moses, the youngest son, came and settled at Rochester, in the county of Ulster. He married Maria, daughter of Cornelis Wynkoop and Maria Janse Langendyck. There is a tradition in reference to his marriage, that he was about to set sail in command of a ship, and pending the loading of the vessel he visited Kingston and met Miss Wynkoop, fell in love at first sight, abandoned his contemplated voyage, and courted and married her. Thus was he drawn in this direction, and became one of the pioneer settlers of the town of Rochester, and one of the original trustees named in the grant of Queen Anne to the town of Rochester in 1703.

There appears to have been a wonderful intimacy and more than friendly feeling existing between his family and that of Jochem Schoonmaker, as indicated by the following statement of marriages. Three of his sons and one of his daughters married in the family of Jochem Schoonmaker and Anna Hussey, as follows :

Moses DePuy, February 14th, 1716, married Margaret Schoon-maker.

Benjamin DePuy, September 3, 1719, married Elizabeth Schoonmaker.

Catharine DePuy, May 10th, 1722, married Benjamin Schoonmaker.

Jacobus DePuy, August 20th, 1725, married Sarah Schoonmaker.

DE WITT.—Tjerck Claessen De Witt was the ancestor of this family. The first knowledge we have of him is derived from the records of the Dutch Church in New York City, in which his marriage is recorded as having taken place on the 24th of April, 1656, with Barbara Andriessen, from Amsterdam. He is described as coming from "Grootholdt" in "Zunderlandt." That place is supposed to be Saterland, a district of Westphalia, on the southern border of East Friesland. They had a number of children, of whom his oldest son,

Andries, on March 7th, 1682, married Jannatje Egbertsen, daughter of Egbert Meindertse and Jaepe Jans. He lived at Marbletown for some years, and afterward moved to Kingston. He died in 1710.

Egbert De Witt, one of his sons, born March 18th, 1699, married, November 4th, 1726, Mary Nottingham, daughter of William Nottingham and Margaret Rutsen. He settled at Wawarsing and had a family of ten children, nine sons and one daughter.

Mary, the daughter, married General James Clinton and became the mother of De Witt Clinton.

His son Thomas lived at Twaalfskill, and was the direct ancestor of a portion of the De Witt family in Kingston, and of the noted clergyman Dr. Thomas De Witt, of New York.

Johannes De Witt, another son of Andries, born in 1701, married, on the 27th of June, 1724, Mary Brodhead, daughter of Charles Brodhead and Maria Ten Broeck. They became the ancestors of a portion of the De Witt family in Kingston, and their oldest son was the distinguished "Charles De Witt, of Greenkill."

Du Bois.—Louis Du Bois is the ancestor of the Huguenot family of Du Bois. He was born October 27th, 1626, at Wierer, in France. Driven from France by religious persecution, he sought refuge in Germany. While at Mannheim, in Germany, he married, October 10th, 1655, Katryn, the daughter of Matthys Blanshan, afterward the distiller at Hurley. He came over to this country and settled in Esopus about the year 1660; from thence he removed to Hurley.

In 1667 he and his eleven associates became the patentees of New Paltz. He then removed with his associates and formed the

settlement at New Paltz. After a residence of ten years in New Paltz he returned to Kingston. He purchased a house on the northwest corner of what is now Clinton Avenue and John Street, and there spent the remaining ten years of his life. What is remarkable, that plot of land, after having been out of the family only two generations in this century, is again in the family and owned and occupied by his descendants.

Louis had a large family of children, ten in number, and many



Your most humble Serv^t
Ch. D. Witt

of them have been as fruitful as he ; so that they are very numerous, and scattered about the Union in every direction.

The Du Bois families in Kingston are the direct descendants of his youngest son, Matthew, who was born in 1679, and married Sarah Mattheysen. He had eleven children. The fifth one of those children was named Johannis and born in 1705. He married Rebecca Tappen, November 16th, 1728. His tenth child was Joshua, and his eleventh child Jeremiah. Those two are the ancestors of the Du Bois families of Kingston.

DUMOND.—Walran De La Trimble, a Protestant residing in Paris, had a nephew, Walran Dumont, whom he had adopted as his son. On the revocation of the Edict of Nantes, in 1685, they both fled to Holland. There the old gentleman remained, and concluded to go no farther. He gave his adopted son one half of the property he had secured on his flight, and told him he was young and must do the best he could. Young Dumont went over to England, and there finding a large company on the eve of embarking for America, he joined them and came over to this country and settled in Kingston. Upon the same ship on which Dumont came to this country was a lady on her way here to join her husband, who had preceded her. Upon her arrival she was distressed to find that her husband had only a few days previous been murdered by the Indians. He solaced and comforted her in the best and most effectual manner he could by giving her in his own person the shield and protection of a second husband.

They became the ancestors of the Dumond family in Kingston and its vicinity. By reason of the inaccessibility of the records the writer is unable to give a full genealogical record. This can be stated, however, that Egbert Dumond, who was for a number of years, as well before as subsequent to the Revolution, sheriff of Ulster County, was his grandson.

ELMENDORF.—Jacobus van Elmendorf, the ancestor of this family, resided in Kingston as early as 1667; when he came to this country is not known. On the 25th of April of that year he married Grietje, daughter of Aert Jacobsen van Wagonen. Of their children,

Coenraedt married at Albany, June 28th, 1693, Ariantje Gerritse Van den Bergh, widow of Cornelis Martensen Van Buren. After her death, and on November 25th, 1704, at Kingston, he married Blandina, daughter of Roeloff Kierstede and Ikee Roosa.

Geertje, on the 26th of August, 1688, married Evert, son of Cornelis Wynkoop and Maria Janse Langendyck.

Anna married, June 7th, 1695, Matthyse, son of Jan Matthyssen Jansen and Magdalena Blanshan.

Jacobus married, September 22d, 1706, Antje, daughter of Cornelis Cool and Jannatje Lambertsen.

The Elmendorf descendants are very numerous, and many of them have received prominent mention in the preceding pages of this history.

ELTING.—One of the Elting families is descended from Jan Elten, who was the son of Roeloff and Aeltje Elten, and was born at Switchelaer, Holland, July 29th, 1632. When he came over to

this country cannot be stated. He first resided at Flat Bush, Long Island; from thence he removed to Kingston. While residing there, and in the year 1677, he married Jacomyntje, daughter of Cornelis Barrentsen Slecht. He afterward removed to Hurley, where he died, leaving five children, as follows:

Geertje, who, July 6th, 1699, married Thomas Hall, of Marbletown.

Aeltje, October 26th, 1695, married Aert Gerretse Van Wagenen.

Roeloff, June 13th, 1703, married Sarah, daughter of Abram Du Bois and Margaret Deyo, of New Paltz.

Cornelis, September 3d, 1704, married Rebecca Van Meeteren.

William married Jannatje Le Sueur.

There is another branch of the Elting family which is descended from Roeloff Elting, who came from Holland and settled in Kingston. His son, Roeloff J. Elting, married Sarah, daughter of Abraham, eldest son of Louis Du Bois, the Walloon, by whom he had three children, Josiah, Noah, and Margaret.

GASHERIE.—Stephen Gasherie was a native of Marinne, France. He came to this country, and on April 30th, 1699, he married at Kingston Engeltje, daughter of Hendrick Jochemsen Schoonmaker and Elsie Janse Breestede. He left two children,

Judick, who married in New York, November 23d, 1723, Lucas Brasier.

Jan, who married, October 13th, 1734, Mary, daughter of Joseph Hasbrouck and Elsie Schoonmaker. They had three children, Joseph, who was the first surrogate of Ulster County under the State government, and Abraham and Elsie.

HARDENBERGH.—One branch of the Hardenbergh family descended from Gerrit Hardenbergh, a resident of Albany, whose wife was Jaepje Schepmoes. Their son, Johannes Hardenbergh, moved to Kingston, where he married Catharine, daughter of Jacob Rutsen and Maria Hansen. He was one of the original patentees of the Great or Hardenbergh Patent. He left several children; one was Johannes and another Leonard. The descendants of this branch of the family are very numerous.

There was another Johannes Hardenbergh, who came from Holland about 1660 and settled in Ulster County. The writer cannot give any particulars in regard to his descendants.

HASBROUCK.—The Huguenot families of this name descended from two brothers of that name, Jean and Abraham, who came to this country from Calais, France, on account of religious persecution.

Jean and his wife, Anna Doiau, settled at Esopus in 1673. They had four children, Maria, Hester, Elizabeth, and Jacob. Jacob, on the 14th of December, 1714, married Esther Bevier.

Abraham did not arrive in this country until 1675. He landed at Boston, and at once came over to Esopus, and on the 27th of November, 1675, he married Maria, daughter of Christian Doiau. He and his brother Jean were two of the original patentees of the New Paltz Patent. Abraham had five children, Rachel, Joseph, Solomon, Daniel, and Benjamin.

His son Joseph, on the 27th of October, 1706, married Elsie, daughter of Jochem Schoonmaker and Petronella Slecht.

Their son Abraham moved to Kingston, and was the progenitor of the Hasbrouck families in that place.

HOFFMAN.—Martinus Hoffman, of Sweden, married in New York City, March 31st, 1663, Lysbeth Harmans. She died soon after marriage. He then, on the 16th of May, 1664, in the same city, married Emmerentje De Witt, a sister of Tjerek Claessen De Witt. He was a soldier at Esopus in 1659, and afterward settled in Shawangunk. His son Nicholas, on the 30th of December, 1704, married Jannatje, daughter of Antonie Crispell, one of the New Paltz patentees. They had five children, Martinus, born in 1706; Anthony, born in 1711; Zachariah, born in 1713; Petrus, born in 1727; and Maria, born in 1730.

Martinus settled in Red Hook. He married for his first wife Tryntje, daughter of Robert Benson, and for his second wife Alida, daughter of Philip Livingston. They had a large number of children.

Anthony married, January 6th, 1738, Catharine, daughter of Abraham Gaasbeek Chambers. He settled in Kingston, and resided in the stone house still standing at the corner of North Front and Green streets, which is still in the family of his descendants.

Zachariah married —, and lived in Shawangunk. His daughter Sally, October 28th, 1768, married Cornelius C. Schoonmaker, and his son Zachariah married Lea Newkirk, of Rosendale, October 29th, 1768, and they are the progenitors of the Hoffman family in that vicinity.

HORNBECK.—Warnaar Hornbeek, one of the early settlers of Ulster County, was the father of eighteen children by two wives. His first wife was Anna, daughter of Anthony de Hooges and Eva Albertse Bratt. His second wife was Grietje Tyssen. He is the ancestor of the Hornbeek family, and his descendants are so numerous that the writer is unable to trace them down.

JANSEN.—Matthys Janse had two sons, one named Jan, who afterward assumed the name of Jansen and became the progenitor of that family. The other son, named Matthys, assumed the name of Van Keuren, and is the ancestor of that family.

The early history of Matthys Janse is enveloped in obscurity. It appears that Director Kieft in 1646 granted him fifty morgans of land at Harlem, but whether he ever occupied it or not is not known. The grant was afterward confirmed to his heirs in 1667 by Governor Nicolls. It is believed that he was a resident of Albany before removing to Kingston. His wife was Margaret Hendricks, and they had four children, one of whom was Jan Matthysen, who, as above stated, assumed the name of Jansen. He married, September 28th, 1667, Magdalina, daughter of Matthys Blanshan, and became the ancestor of some of the Jansen families.

Another branch of the Jansen family is descended from Hendrickus Jansen, who was one of three brothers who came to this country at an early day. One settled in New Jersey, one in the town of Shawangunk, and the other, Hendrickus, settled in Kingston. On the 19th of November, 1724, he married Anneke Schoonmaker, and was the progenitor of one branch of the Jansen family. He occupied the northerly part of the Chambers Patent, and some of his descendants are still in possession.

KIERSTED.—Dr. Hans Kierstede came from Magdeburg, Prussian Saxony, in 1638, with Director Kieft to New Amsterdam, and was the first practising physician and surgeon in that place. He married, June 29th, 1642, Sarah Roeloffse, daughter of Roeloff and Anneke Janse. They had ten children, of whom

Hans married, February 12th, 1667, Jannatje Lookermans.

Roeloff married Eycke, daughter of Albert Heymans Roosa and Wytje Ariens.

Blandina married, November 28th, 1674, Peter Bayard, the son of Samuel Bayard and Anna, the sister of Governor Stuyvesant.

Lucas, July 18th, 1683, married Rachel Kip.

Catharine married, September 4th, 1681, Johannis Kip.

Rachel, on the 16th of October, 1686, married William Teller, Jr., and in addition to the above there were Anna, Jochem, Jacob, and Jacobus.

From thence is to be traced the Kingston branch of the Kiersted family.

LOUW, LOWE, AND LOW.—Pieter Cornellissen Louw sailed from Holstein February, 1659, in the ship Faith, and came to Esopus, and on the 27th of October, 1668, he married Elizabeth, daughter of Matthys Blanshan. Of their children,

Cornelis married at New York, July 5th, 1695, Margaret Borsum.

Madeline married Benjamin Smedes.

Antje married Philip Viele, and

Maria married Aurt Van Wagonen.

The other children's names were Matthys, Peter, Abraham, Jacob, and Johannis.

Through the above-named sons the said Pieter Cornellissen became the progenitor of the above-named family.

MARIUS GROEN.—About the year 1640 Peter Jacob Marius, with his three sisters, emigrated to Holland from Italy. One of his sisters, Mayken Marius, married Jacob Groen, of Hoorn, in Holland. Peter Jacob Marius subsequently came to New Amsterdam, and there engaged in the mercantile business. On the 13th of November, 1655, in that city he married Maria Pieters Beeck, daughter of Pieter Cornelis Beeck and Antje Williams.

He is thus referred to in "Valentine's Manual" of 1858 :

"Peter Jacob Marius may be said to be the surviving representative of the Dutch merchants of New Amsterdam. He carried on business at the same place and pretty much in the same style in which he had been wont to do in the palmy days of the Dutch city, fifty years before the period now spoken of. He outlived his companions in the Board of Schepens, and saw another generation of natives of his adopted city grow old and adopt new tastes and habits under the countenance of a foreign nation. Mynheer Marius was a magistrate of New Amsterdam for several years. At that time he was a merchant on the south side of Pearl Street, between the present Whitehall and State streets, and there he continued to reside and carry on business fifty years subsequently. He neither altered his habits of life nor the character or extent of his business, but vegetated to maturity in a respectable manner, unmindful of the changes which successive years exhibited on all sides around him. Peace be to the memory of the last of the Knickerbockers."

He, together with Nicholas Bayard, Stephanus Van Cortlandt, Anthony Brockholdst, William Nicolls, and Robert Reed, on the 17th of January, 1689, had warrants of arrest issued against them by Jacob Leisler for slandering his government. Bayard and some of the others were arrested and imprisoned, but Marius escaped and went to Holland. After Leisler's death and under Sloughter's administration he returned to this country.

He brought his sister's son, Jacob Marius Groen, who was born at Haesdrecht, in Holland, to this country, and made him his heir but at what particular time he brought him over cannot be stated.

Jacob Marius Groen, on the 15th of May, 1701, married Mary-

hem, daughter of Captain Sylvester Salisbury and Elizabeth Beeck. They had six children, three sons and three daughters. Their oldest son, Jacob Marius Groen, moved to Kingston and married Katrina Schepmoes. He was the immediate ancestor of the Kingston family. He had four sons and one daughter:

Jacob, who married Elizabeth Van Gaasbeek and died without issue.

William, who married Margaret Whitaker, and after her death Catharine Kiersted. He left two daughters, Catharine, who married Benjamin Welch, and Hillitje, who died unmarried.

Peter, who married Catharine Low and left one daughter, Cornelia, who married Zachariah Schoonmaker.

Sylvester, who was never married.

The daughter, Mary, married John McLean.

Sylvester, the second son of the original Jacob Marius Groen, settled in New York upon the piece of land forming the point between the North and East rivers. His house stood at the corner of State and Pearl streets. He married Femmitje Bergen. Their children were Jacob, Sylvester, Elizabeth, Rachel, Mary, and Letitia.

Jacob married Mary Van Riper, of Acquackanock, N. J. Their children were John, Jacob, Peter, Maria, and Phœbe.

John married Catharine Cole, Jacob married Lea Bergen, Peter married Sarah Kingsland, Maria married Daniel Niven.

Elizabeth, the daughter of Sylvester Marius Groen and Femmitje Bergen, married Colonel Daniel Kemper, who served as colonel in the Continental line in the Revolution. Their children were Sylvester Kemper, Jackson Kemper, a clergyman and a leading bishop in the Episcopal Church and founder of a college in Wisconsin, and Jane, Eliza, and Sophia.

The above-named Sylvester Marius Groen, when he entered into business in the city of New York, dropped the name of Marius Groen and adopted the name of Morris. His descendants are therefore now all known by that name, and the name of Marius Groen has become extinct.

MASTEN.—Cornelis Masten took the oath of allegiance in the county of Ulster in September, 1689. He is understood to be the ancestor of the Masten families in this vicinity. The intermediate links the writer has been unable to collect.

NEWKIRK.—"Gerrit Cornelissen van Niew-kerk, with his wife, boy, and sucking child," in April, 1659, sailed for this country in the ship *Moseman*. He settled at Hurley, assumed the name of Newkirk, and founded the numerous family of that name in this

vicinity. His son, Arien Gerritsen Newkirk, married Elizabeth, daughter of Lambertse Huybertse Brink.

OSTERHOUDT.—The Osterhoudt family is descended from Jan Janse van Osterhoudt. He was sometimes called "Brabanter;" his wife's name was Anna Hendricks. He first resided in New Amsterdam; his son Hendrick was baptized there on the 9th of February, 1656. He afterward moved to Esopus and founded the Osterhoudt family.

PELLS.—The Pells family find their ancestor in Evert Pells. He came to Albany in 1642. He purchased lands in Esopus in 1654, and within a few years thereafter settled upon them. He married Jannatje Schepmoes.

PERSEN.—Jan Hendricks Piersen, who came to this country as a soldier and was a sergeant in the Netherlandish service, married Anna Persen. They became the ancestors of the Persen family.

ROOSA.—Albert Heymans, from Gelderland, is registered as having sailed in April, 1660, in the ship the Spotted Cow, with his wife and eight children. His wife's name was Wyntje Ariens. They settled in Esopus, assumed the name of Roosa, and became the ancestors of the Roosa families of this vicinity.

ROGGEN.—Petrus Franciscus Roggen was born in Switzerland on the 21st of May, 1718; emigrated to this country, and on the 2d of November, 1750, married Anna Freer, of Kingston. He was generally known and recognized in Kingston by the name of Frantz P. Roggen. He died March 27th, 1804, and left one son, Peter Roggen, who, on the 4th day of February, 1776, married Annatje Masten. They left several children:

Jacob, who removed to Oakhill, Green County.

Maria married Cornelius Newkirk; they had one daughter, who married the late William C. More.

Anna married Irwin Pardee; died without issue.

John, a physician, and Samuel died single.

Peter moved to Albany.

Catharine married William Holmes. Their daughter, Ann Elizabeth, married the late Jacob Hardenbergh.

Elizabeth married Edward Cooper; they left several children. Their daughter, Louisa, is the wife of Augustus Schoonmaker.

SALISBURY.—In reference to this family, which is of Welsh descent, the writer will avail himself of the information obtained

by one of the descendants of the family direct from Wales, their native country. It is as follows :

“Sylvester Salisbury (April 25th, 1883).—I had not noticed the further inquiry in *Bye-gones* respecting this gentleman until the other day, when I had occasion to look into my copy of the work for another purpose. The best answer I can give to this inquiry is, to rehearse in the first place what Lewys Dwnn says about the Lleweni family, and then to supplement his statement with a further note of my own. Dwnn, after explaining that Adam de Saltzburg (youngest), son of the Duke of Bavaria, had come over to England, and having married Joyce, daughter of Sir William Pompet, had by her a son, Alexander, who was father of Thomas ; and he of John, who died at Denbigh in the year 1520 ; then he proceeds to set out the succeeding descents from this John Salisbury, who was thus third in descent from Adam, as follows :

“1. Henry Salisbury (harri Dhu), who married Nest, daughter of Cynwrig Sais.

“2. William Salisbury (M. P. for Leominster), who married Margaret, daughter of Philip Fychton.

“3. Henry Salisbury, who married Anne, daughter of John Curtis.

“4. Thomas Salisbury (Hen), who married Elizabeth, daughter of Jenkyn Done.

“The last-named had four sons—viz.: Thomas (who continued the line at Lleweni), Henry (who founded the Llanrhaiadr branch), John (who founded the Bachymbyd branch), and Robert (who founded the Llanrwst branch).

“The second son,

“Henry Salisbury, married Margaret, daughter of Gryffyd ab Rhys, and had a son and successor,

“Henry Salisbury (Goch), who married for his second wife Liws, daughter of Harri ab Shon, up Gruffydd, and they had a son,

“David Salisbury (always alluded to as of Llanberis), who married Marsley, daughter of Ivan Lloyd, and they had : William, John, Robert, Cadwalader, Simnwt, Elizabeth, and Liws. So far on the authority of Dwnn. Then follows what I call the traditional evidence which has been accepted as true by those who have followed the lines of Henry Salisbury Goch.

“The David Salisbury above mentioned, though designated as of Llanberis, was undoubtedly lineal male representative of the Llanrhaiadr branch of his family, and his eldest son, William, had a son Robert, who emigrated to America, who in the course of nature would become head of the family in this branch. He is supposed to be the Robert Salsbrie referred to by Sir Thomas Salisbury (the second Bart. of Lleweni) in a letter he wrote to his uncle,

John Maynard, in which he says: 'I might be taxed with a rash act of folly should I now leave my country, being the only hope of the direct line of my house, having no more a hopeful successor, should it please God to call for me, than Robert Salsbrie, one whose dissolute life hath made a scorn to his country.' If this supposition is well based, this Robert would also, of course, have been heir to the Lleweli estate if Sir Thomas had not had children of his own to succeed him, but not to the baronetcy; for that was conferred upon Sir Henry Salisbury very long after the Llanrhaiadr branch had broken away from the parent stem. The fourth son of David, Cadwalader, married his kinswoman, Jane Salisbury, of Llanaantfaid-Glan, Conway, and he had by her a son, Sylvester, who followed the sea and eventually settled in America."

Sylvester came over to this country as captain of a portion of the troops, in 1664, in the English expedition under the command of Sir Richard Nicolls. He resided for a time on Long Island and also in New York. He was also commandant of the garrison at Albany for several years. He married Elizabeth, daughter of Pieter Cornelis Beeck and Aaltje Williams. He died in 1680.

His son Francis, in 1693, married Maria, daughter of Dominie Laurentius Van Gaasbeek, and died in 1756. He settled in Caat-skill, and there left descendants. His son Sylvester came to Kingston and commanded the Kingston troop of Light Horse in the Revolution.

Maryhem, the daughter of Sylvester the elder, on the 15th of May, 1701, married Jacob Marius Groen, as before stated in this chapter.

SCHERPMOES.—Jan Jansen Scherpmoes was in New Amsterdam as early as 1638. He died in 1655. By his wife, Sarah Pietersen, he had eight children. His son, Dirck Janse Scherpmoes, moved to Esopus. He married Maria Willems. After her death, on the 28th of September, 1703, he married Margrietje, daughter of Jurian Teunisse Tappen. He left several daughters, but only one son, Johannes, who was the issue of the first marriage, and is the progenitor of the Scherpmoes family of Kingston.

SCHOONMAKER.—Hendrick Jochemsen Schoonmaker was a native of Hamburg, in Germany. The precise time of his arrival in this country is not known, but he came in the military service of the Dutch West India Company, and was lieutenant "in the company of his noble Honor the Director General." It is certain that he was there as early as the year 1654, for there is a record of his advance of money in that year to Governor Stuyvesant "in time of need." He was an innholder at Fort Orange, and acquired the

title to considerable real estate. He owned, besides other lots, a lot on the east corner of what is now Broadway and State Street. In the fall of 1659 his company was ordered to Esopus for the defence of the settlers in their troubles with the Indians. He was there in 1660, and at the expiration of his enlistment he settled at Esopus. A short time afterward, in 1662, when the burghers organized a company of militia at Esopus, he was appointed lieutenant under Thomas Chambers as captain.

Hendrick Jochemsen married Elsie Janse, daughter of Jan Janse Breestede and widow of Adriaen Petersen Van Alcmaer. He died about 1681, and his widow, September 26th, 1684, married Cornelis Barentsen Slecht.

Hendrick left four children, Jochem Hendrick, Egbert, Engetje, and Hillitje.

The oldest son, Jochem Hendrick, who was born at Albany, married, August 1st, 1679, Petronella, daughter of Cornelis Barentsen Slecht and Tryntje Tysse Boz. After her death on the 28th of April, 1689, he married Anna, daughter of Frederick and Margaret Hussey. He was one of the pioneer settlers at Mumbaccus and one of three original trustees named in the Rochester Patent granted by Queen Anne in 1703. He continued as trustee by annual election until 1713. He was supervisor of the town from 1709 to 1712, and was captain of a company raised for defence against the Indians. He died in 1713 and left fourteen children. The children by his first marriage were :

Cornelius, who on the 25th of November, 1711, married Engeltje Roosa, of Hurley.

Hendrick, who married, November 25th, 1704, Hillitje Garrison Decker and moved to Minisink.

Tryntje, who married, in 1704, Jacobus Bruyn, the ancestor of the Bruyn family, and

Elsie, who in 1706 married Joseph Hasbrouck, the ancestor of the Kingston and Gardiner Hasbrouck families.

The issue of his second marriage : Rebecca ; Frederick married Anna De Witt ; Jan married Margaret Hornbeek ; Margaret married Moses Depuy ; Jacob married Maria Rosecrantz ; Elizabeth married Benjamin Depuy ; Benjamin married Katrina Depuy and moved by the Mine Road across the Delaware River ; Antje ; Sarah married Jacobus Depuy ; Daniel moved by the Mine Road across the Delaware River.

The writer will not venture to follow out the details of the offspring of this large progeny, as it would itself require a volume ; but he will the branch with which he is immediately connected.

The eldest son, Cornelius, who married Engeltje Roosa, at his

death left four children, Katyntje, Petronella, Cornelius, and Elizabeth.

Their son Cornelius, on the 23d of May, 1744, married Ariantje Hornbeek, of Rochester. He died at Shawangunk on the 21st of January, 1778, and left the following children: Cornelius C., Abraham, Isaac, and Maria.

Their son, Cornelius C. Schoonmaker, on the 28th of October, 1768, married Sally, daughter of Zachariah Hoffman, of Shawangunk. He died in 1796, leaving the following children:

Cornelius T., who married Polly Taylor; Henry, who married Maritje Terwilliger; Maria married Simeon Helmn; Sarah married Selah Tuthill; Harriet married Andrew Bedford; Zachariah married Cornelia Marius Groen. He died in 1818, leaving surviving his son, Marius Schoonmaker.

SLEIGHT.—Cornelis Barrentsen Slecht was the ancestor of the Sleight family in Kingston. He was an early resident of Esopus. He from the beginning took a prominent and active part in the affairs of the church and settlement. His first wife was Tryntje Tysse Boz. After her death he married Elsie Janse Breestede, widow of Hendrick Jochemsen Schoonmaker. He left a number of children, some of whose descendants are residents of Kingston and vicinity.

SWARTWOUT.—Roeloff Swartwout came to this country about 1655, and married at Albany, August 13th, 1657, Eva Albertse Bratt, widow of Anthony de Hooges. After her death he married at New York, October 8th, 1691, Francyntje Andries, widow of Abraham Lubbertsen. He left seven children, Thomas, Bernardus, Anthony, Hendrica, Cornelia, Rachel, and Eva.

TAPPEN.—Jurian Teunisse Tappen resided at Fort Orange as early as 1662. His wife was the daughter of Wybrecht Jacobse. Their son, Tunis Tappen, settled in Kingston, and his son, Christoffal Tappen, at an early day was a prominent and leading citizen of Kingston, and was the direct ancestor of the Tappen family in this place and father of Christopher Tappen, who married the sister of Governor Clinton.

TEN BROECK.—Wessel Wesselsen Ten Broeck was born about 1636 at Wessen, in Munster, a division of Westphalia. He came to this country in December, 1659, in the ship Faith, and landed at New York. He remained there for a time, and there was married December 16th, 1670, to Maria, daughter of Coenraedt Ten Eyck and Maria Boele. He removed to Kingston about 1675. His wife

Maria died November 15th, 1694. On the 26th of September, 1695, he married Laurentia Kellenaer, the widow of Dominie Van Gaasbeek. By his first wife he had ten children :

Wessel, who married, June 6th, 1694, Jacomyntje, daughter of Dominie Van Gaasbeek. He resided in the old Senate House, and in 1738 was lieutenant-colonel in the Ulster County Militia.

Maria, who on the 14th of November, 1693, married Charles, son of Captain Daniel Brodhead.

Elsie married, December 22d, 1695, Cornelis Jansen Decker.

Sarah married, November 22d, 1702, Cornelis Vernoooy.

John married, December 9th, 1715, Rachel, daughter of Hymen Roosa and Anna Margaret Roosevelt.

Jacob married, January 17th, 1712, Elizabeth, daughter of Johannis Wynkoop and Judith Bloodgood.

Two of his children died unmarried and two died in infancy.

TEN EYCK.—Coenraedt Ten Eyck, the ancestor of the Ten Eyck family, emigrated from Amsterdam prior to 1651. He came with his wife, Maria Boele, and three children, Jacob, Dirck, and Maria. After his arrival in New Amsterdam he had eight more children. He died in 1683. His daughter Maria married Wessel Ten Broeck, of Esopus, December 17th, 1760. His son, Matthew Ten Eyck, who was born in 1658, removed to Kingston, and on the 25th of October, 1679, married Anneke, daughter of Albert Heymans Roosa and Wyntje Ariens. This Matthew became the direct ancestor of the Ten Eyck family in Kingston and the vicinity.

VAN BUREN.—Gerrit Cornelissen Van Buren, born in Holland an agriculturist on the 27th day of April, 1660; emigrated from Holland to the New Netherlands with his family in the ship Gilded Otter. He settled first at Fort Orange, and afterward moved to the Manor of Rensselaerwyck, where he died. He was the progenitor of the Kinderhook branch of the Van Buren family as well as the Kingston branch.

Martin, the son of Cornelissen Gerrit, died at Rensselaerwyck in 1704.

His son, Cornelis, who died at Rensselaerwyck in 1700, before his father, left him surviving, besides other children, his oldest son,

Tobias, who was born in 1687; removed to Kingston, and on the 15th of December, 1712, married Hellena Bogardus, the granddaughter of Dominie Everardus Bogardus and Anneke Jans. He lived in the old stone house which is still standing at the corner of the streets now designated as Green Street and Maiden Lane: it was rebuilt after the burning of Kingston, and is still in the occupancy of one of his descendants.

His eldest son was Cornelis Van Buren, who was born December 13th, 1715, and married Harriet Houghteling. He died February 22d, 1770, leaving a family of children.

His eldest son was named Tobias, born on the 9th of August, 1741, and married Sarah Du Bois, and died December 18th, 1821.

His oldest son, Cornelius, was born September 30th, 1766; married Elizabeth Persen, and died on the 4th of April, 1846, leaving five children, all sons—Tobias, John, Isaac, Cornelius P., and Henry.

VAN DEMARK.—Thomas Van Demark, ancestor of the Van Demark family, first appears in the records in 1667. He was in the spring of that year concerned in the military troubles at Kingston. His wife was Jacomyntje Jacobs, and they had several children.

His son Arie married, August 27th, 1699, Sarah Bond, of Schenectady.

Jacob, December 24th, 1710, married Jannatje Sluyter.

Augustinus married, September 27th, 1717, Annatje Schot, of New Paltz.

Frederick married, June 21st, 1718, Geertje Tack. Their daughter, Jannatje, born in 1724, married, on the 24th of July, 1748, Jonathan Westbrook, who died leaving four children, Direk, Frederick (the father of Rev. Dr. Cornelius D. Westbrook), Jonathan, and Annatje Westbrook.

VAN DERLYN.—Peter Van Derlyn, a painter and artist, came over to this country about the commencement of the eighteenth century. He married a daughter of the Rev. Peter Vas, pastor of the Dutch Church in Kingston. He left two sons, Peter, a physician, and Nicholas.

Peter was the father of Henry and Gerrit Van Derlyn, who removed to Oxford, Chenango County.

Nicholas, on the 30th of December, 1756, married Sarah Peck.

After her death he married, in February, 1769, Sarah Tappen.

They left two sons surviving, Nicholas, who was born January, 1773, and John (the artist), who was born October 15th, 1775.

John died unmarried.

Nicholas had several children, but his daughter Catharine is the only surviving member of the family in Kingston.

VAN ETEN.—A young man by the name of Jacob Janse emigrated from the village of Etten, in North Brabant, Holland, sometime prior to the year 1664. He married in Kingston Anna Ariens from Amsterdam, and widow of Aert Peterson. Janse, as was common in those days, assumed the name of his birthplace as his

surname, affixing thereto the Dutch word "Von," meaning "*from*," which word was afterward Anglicized to "Van," and he thus acquired the name of Van Etten. That process may be assumed to be the origin of most of the names commencing with "*Van*" in this region.

Jacob Janse had two children, Jan, baptized in 1666, and Hytje, in 1668. One of his grandchildren, who was born in 1717, resided at Rhinebeck and became a large landholder. His son Aaron afterward exchanged his property at Rhinebeck for a tract of land in Ulster County, situated in the neighborhood called Plattekill, then in the precinct of Kingston, now within the bounds of Saugerties. From Peter has descended that branch of the Van Etten family represented by residents of that name in Kingston.

VAN GAASBEEK.—Dominie Laurentius Van Gaasbeek, second pastor of the Dutch Church in Kingston, was the son of Gower Van Gaasbeek, of Leyden. He was educated in the University of Leyden, and graduated with honors in May, 1674. He had previously married Laurentia Kellenaer on the 28th of May, 1673. Duly accredited by the Classis of Amsterdam to take charge of the church at Kingston, he sailed for New York on the 13th of May, 1678, with his wife and two infant children. He arrived at Kingston on the 8th of September, 1678, and at once entered upon his pastoral duties. He died February, 1680, leaving three children :

Jacomyntje, born at Leyden, and married, June 6th, 1694. Wessel Ten Broeck, son of Wessel Ten Broeck and Maria Ten Eyck.

Maria, born at Leyden, and married, in 1693, Francis, son of Captain Sylvester Salisbury and Elizabeth Beeck.

Abraham married in New York, August 26th, 1703, Sarah Bayard, daughter of Peter Bayard and Blandina Kiersted.

Thomas Chambers, one of the first settlers in this country and, as appears in the early pages of this history, Lord of the Manor of Foxhall, in 1681 married Laurentia Kellenaer, the widow of Dominie Laurentius Van Gaasbeek and the mother of Abraham Van Gaasbeek. Chambers at his death, not having any children, by his last will dated April 5th, 1694, devised to his stepson, Abraham Van Gaasbeek, all his manor estate, privileges, etc., upon the express condition that he assume the surname of Chambers, to descend in seniority to his descendants, and bound it by an intricate entail. Abraham accordingly assumed the name, and was thereafter known as Abraham Gaasbeek Chambers. After his death his heirs, in 1752, broke the entail, divided the property, repudiated the name of Chambers, and assumed the patronymic of Van Gaasbeek.

Abraham was the father of thirteen children. Some died in infancy, others died single. The married children were as follows :

Blandina married, December 15th, 1727, Wessel, son of Wessel Ten Broeck, Jr., and Jacomyntje Van Gaasbeek.

Thomas married, December 22d, 1732, Margaret, daughter of Jacobus Elmendorf and Antje Cool.

Anna Maria married, January 2d, 1735, Lawrence, son of Francis Salisbury and Maria Van Gaasbeek.

Sarah married, August 26th, 1744, Abraham Delameter, Jr., son of Cornelis Delameter and Margaret Van Steenbergh.

Abraham married, June 1st, 1751, Sarah, daughter of John Ten Broeck and Rachel Roosa.

Catharine married, January 6th, 1738, Anthony, son of Nicholas Hoffman and Jannatje Crispell.

John married, August 16th, 1746, Antje, daughter of Timothy Low and Hendriktje Cool.

William married, December 7th, 1750, Catharine, daughter of Johannis Delameter and Christina Wynkoop.

VAN KEUREN.—Matthys, known as Matthysen, assumed the surname of Van Keuren. He married Tjaatje De Witt, eldest daughter of Tjerck Claessen De Witt, and founded the Van Keuren family.

VAN STEENBERGH.—Jan Jansen, from Amersfoort, generally known as Jansen Timmerman (carpenter), October 3d, 1660, married a lady named Catharine and assumed the name of Van Steenbergh, and was the progenitor of that family.

VAN WAGONEN.—Aert Jacobsen (Van Wagonen) was early a resident of Albany. In 1660 he purchased from Madam De Hulster forty-seven morgans of land at Esopus, upon which he settled. He had five children.

Gerrit married Clara, daughter of Evert Pells.

Neeltje married, June 6th, 1667, Cornelis Tynhout.

Jacob married, February 25th, 1677, Sarah, daughter of Evert Pells.

Greetje married, April 25th, 1667, Jacobus Elmendorf.

Elizabeth married Cornelis Masten.

VERNOOY.—Cornelis Cornelissen Vernooy sailed with his wife and child, January, 1664, in the ship Faith for this country, and settled in Kingston. His wife's name was Annatje Cornelis. Of his children,

Greetje married Jacob, son of Tjerck Claessen De Witt and Barbara Andriessen.

Cornelia married, March 8th, 1689, David, son of Louis Du Bois and Catryn Blanshan.

Marritje married, July 19th, 1696, Lodewyck, son of Warnaar Hornbeek and Eva De Hooges.

Cornelis married, November 22d, 1702, Sarah, daughter of Wessel Ten Broeck and Maria Ten Eyck.

VREDENBERGH.—Willem Isaacsen Vredenberg, from the Hague, was the ancestor of this family. He married in New York, October 19th, 1664, Appolonia Barentse, daughter of Barent Jacobsen Cool. He was a soldier in the service of the West India Company and settled in Esopus, where two of his children were baptized, Abraham, January 27th, 1682; Jannatje, April 6th, 1684.

WESTBROOK.—Jonathan Westbrook was an officer in the army of Oliver Cromwell, and came over to this country at the restoration and upon the accession, in 1660, of Charles the Second to the British throne. He was one of the early residents of the town of Rochester, Ulster County. He had two sons, Derck Westbrook and Johannis Westbrook. They took the oath of allegiance in 1689.

Derck Westbrook left him surviving a son, Jonathan Westbrook, who, on the 24th day of July, 1748, married Jannatje, daughter of Frederick Vandemark and Geertje Task. They left three sons and one daughter, Annatje; their sons,

Derck married Gertrude, daughter of Wessel Brodhead.

Jonathan married Sarah Deyo, and

Frederick married Sarah Depuy.

Derck, Jr., left two children, Wessel B. Westbrook and Hellena, wife of Jacobus S. Depuy.

Jonathan left four children, Jonathan, Frederick, Jacob, and Derck.

Frederick left one son, Rev. Cornelius D. Westbrook, D.D. He married Hannah, daughter of Isaac Van Wyck, of Fishkill. After her death he married Sarah, daughter of Tjerck Beekman, and had a large family of children—four by his first and eight by his second wife.

WYNKOOP.—Cornelis Wynkoop was in Albany as early as 1657. He removed to Kingston prior to 1671, for in that year he was an elder in the Kingston Church. His wife was Maria Janse Langendyck. Their children were:

Johannis, known as Major Johannis Wynkoop, who married, June 7th, 1687, Judith Bloodgood. After her death he married, in 1696, Cornelia, daughter of Dirck Wessels Ten Broeck, of Albany.

Maria married Moses, son of Nicholas Depuy.

Evert, who married, August 26th, 1688, Gertrude, daughter of Jacobus Elmendorf and Greetje Aertse Van Wagonen. After her death he married Antje, daughter of Roeloff Kierstede and Eicke Roosa.

Gerrit married Hillitje, daughter of Gerrit Fokker and Jacomyntje Slecht.

Benjamin married, October 20th, 1697, Femmitje, daughter of Abraham Vanderheul and Tryntje Hendrick Kip.

NOTE.—The following history of the Houghteling family was received too late for insertion in its proper alphabetical order, and is therefore placed here.

HOUGHTELING.—Jan Hooghtyling was the ancestor of the Kingston branch of this family; he married Ariantje Appel. Their son, Jan Hooghtyling, Jr., married Maria Colevelt. Their son Wilhelmus was born in New York, and baptized there on the 17th of September, 1699, married Marytjen Tappen, at Kingston, on the 18th of November, 1720. Their son Teunis, on the first day of November, 1747, married Elizabeth Beekman, at Kingston. Their son Johannis, who was baptized in New York, November 25th, 1757, married on the 20th of April, 1777, Anna Muyretta Roosa, at Kingston. They had three sons: Teunis, baptized April 5th, 1787. Cornelius, baptized August 23d, 1789, and Henry, baptized October 16th, 1791.

CHAPTER XXVII.

INDIAN RELICS.

IT was not the intention of the writer when he commenced the preparation of this book to have anything to say in regard to the history or manners and customs of the Indians, except so far as might be necessary to elucidate the history of the early settlement of Europeans among them. But as it may be of interest to some of his readers he has added this chapter, principally devoted to an account of some Indian relics which have been found in this county, and are still preserved as mementoes of the past.

Before proceeding to that, however, it will be noted that there was, until a comparatively recent period, but not probably within the recollection of any one now living, an Indian inscription in the vicinity of Kingston, which is described by Mr. Schoolcraft in his history of the Indian tribes of North America, as follows :

“There is a pictographic Indian inscription in the valley of the Hudson above the Highlands, which from its antiquity and character appears to denote the era of the introduction of fire-arms and gunpowder among the aboriginal tribes of that valley. This era may with general accuracy be placed between the years 1609, the date of Hudson’s ascent of that stream above the Highlands, and the opening of the Indian trade with the Iroquois by the erection of Fort Orange in 1614.

* * * * *

“The location of the inscription is on the west embankment of the Hudson at Esopus Landing. My attention was first directed to it by Peter Force, Esq., of Washington, D. C., a gentleman who had passed his youth in the vicinity, and had frequently visited the declivity on which it is cut ; being a convenient spot, as he told me, for undressing, as was the custom of boys in the vicinity to swim in the river. Other indications have been reported at sundry times of the skill of these ancient Indians in inscribing figures on rocks. Tracks of human feet are among these objects, but the progress of building in that vicinity and the existence of but little curiosity on that head appears to have destroyed these interesting traces of a people who once fancied themselves important, but who now live only in history.”

The inscription on the rock at Esopus Landing was the figure of an Indian with plumes on his head and holding a gun in his right hand at rest, and a wand or some other instrument in his left.

Mr. Schoolcraft particularly describes and comments thus upon the figure: "The inscription may be supposed, if the era is prop-



erly conjectured, to have been made with metallic tools. The lines are plainly and deeply impressed. It is in double lines. The plumes from the head denote a chief or man skilled in the Indian medico-magical art; the left appears to support a wand. It is in the rampant Indian style. Such an inscription, recording the intro-



duction of the gun, would not be made when that era had long past and lost its interest."

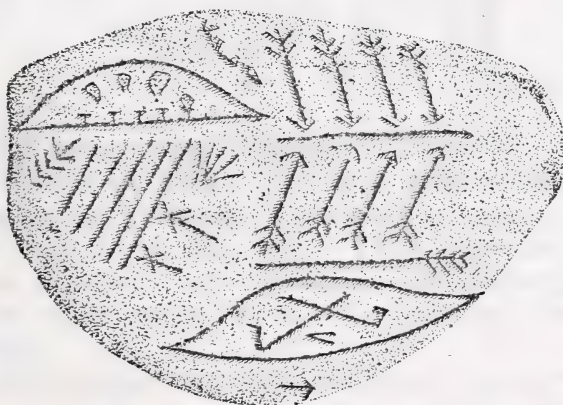
It is a well-known and at the same time interesting fact that the aborigines of this country were accustomed to record upon rocks, stones, and other substances historical and biographical events by pictorial scrolls and other devices, and they also in like

manner registered the heroic deeds of their departed chiefs and distinguished warriors upon the ad-je-da-tic (monumental or grave tablet), consisting of a stone slab or post. The pictographic records upon wood and other perishable materials have, of course, long since passed away ; but those engraved upon the more imperishable substance are still occasionally found in places where the



Indians when lords of the country centuries ago resorted and where the besom of destruction and improvement has had no occasion to wipe them out of existence.

In order that the reader may more fully comprehend the character of the relics referred to, the accompanying plates are inserted,



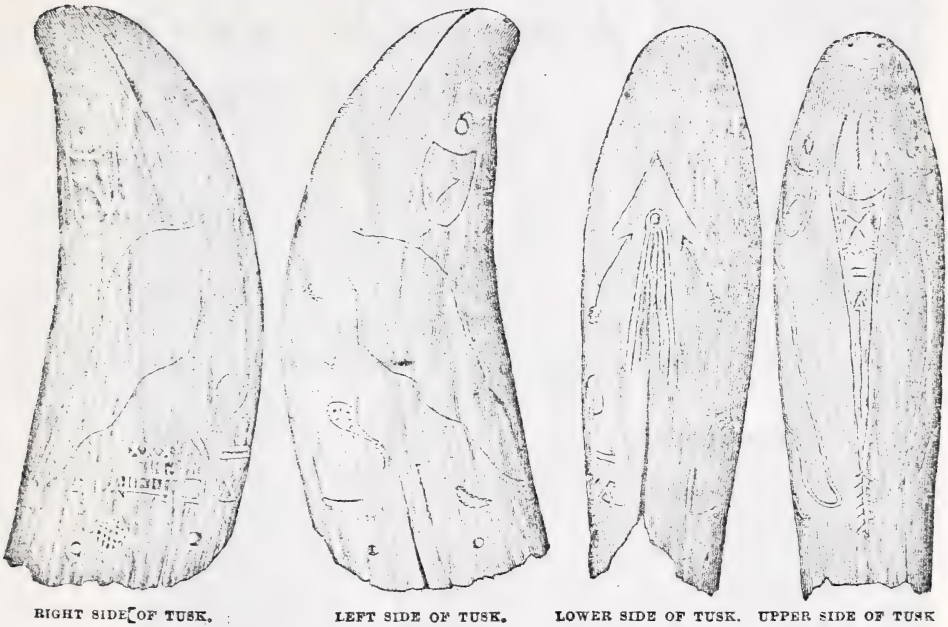
which are made from photographic copies, and correctly represent the originals.

The first two pictures represent the two flat surfaces of a stone slab, irregular in shape and apparently having portions or at least a corner broken off. It is twenty inches in length and twelve inches in breadth. When found it was standing in a slanting posi-

tion resting against other stones and thickly covered with moss, only a small point at the top projecting. From its position and appearance when found it is evident it had been there a long time.

It is covered with Indian marks on both sides. It is supposed to be a part of the adjedatic or gravestone of some Indian chief or warrior, the bird thereon indicating the "totem" or insignia of the tribe, family, or class to which the deceased belonged, and the other marks thereon recording his exploits (p. 497).

It is well known also that the Indians frequently recorded their



war, hunting, and other expeditions and extraordinary events by pictographs, not only on rocks, but upon small stones, bark of trees, and other portable things which could be hung up in their wigwams or carried about with them. They were the Indian's autobiographical records of his achievements and triumphs. It is supposed that the stone represented in this engraving is one of that character (p. 498).

The stone is five inches long, three and a half inches wide, and a little over an inch in thickness, with edges rounded as if worn by water. On one side of the stone can be noticed a camp-fire and also two chiefs, indicated by their head-dress and their respective totems, one a turtle and the other a bear or wolf.

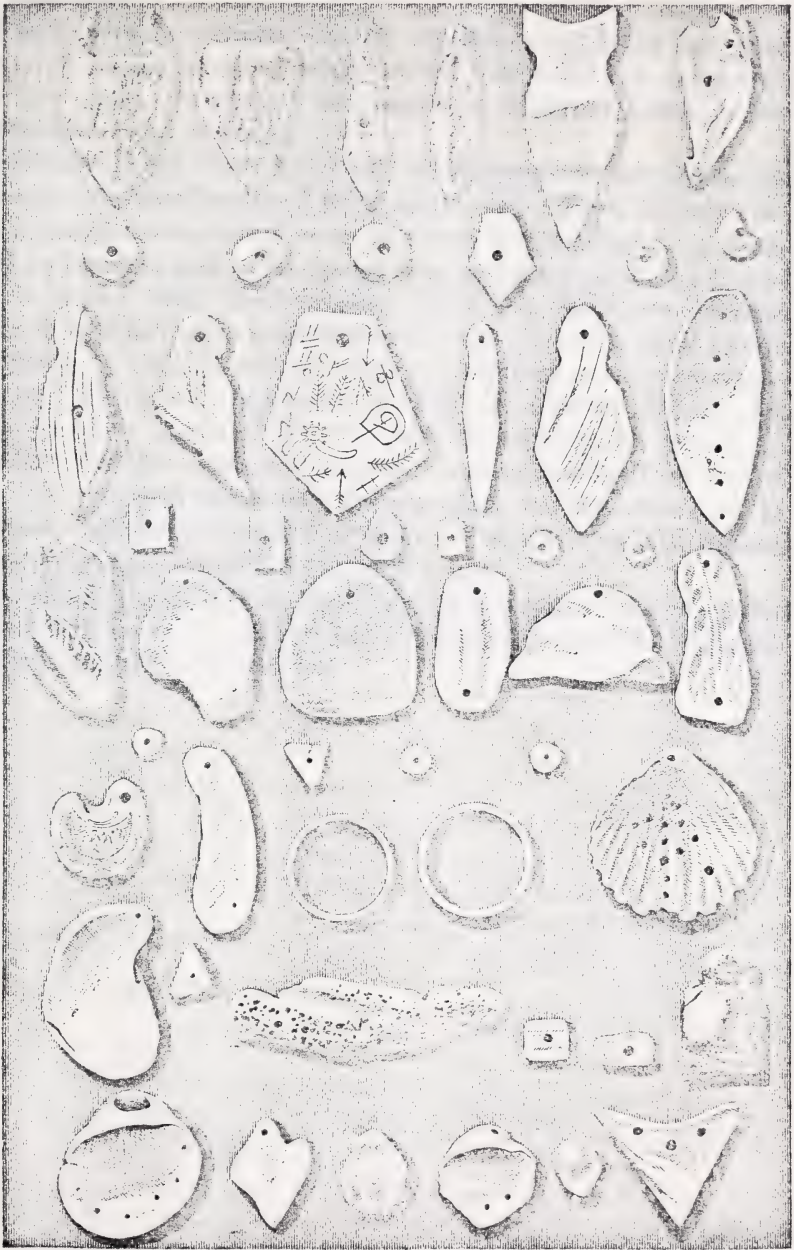
The next relic represented is a tusk carved with Indian pictographs. The four figures in the engraving represent the different sides of the tusk and exhibit the respective figures thereon. When

The first of these is the fact that the majority of the specimens are of the same sex, and that the majority of the specimens are of the same age. This is a very important point, and it is one which should be taken into account in any study of the subject. The second point is that the majority of the specimens are of the same race, and that the majority of the specimens are of the same social class. This is also a very important point, and it is one which should be taken into account in any study of the subject. The third point is that the majority of the specimens are of the same sex, and that the majority of the specimens are of the same age. This is a very important point, and it is one which should be taken into account in any study of the subject.



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found the hollow inside was filled with fine stuff resembling rotten wood.



INDIAN ORNAMENTS.

The fondness of the Indian for beads and other small ornaments is so well understood that it is unnecessary to mention it—it is pro-

verbial. They were worn by chiefs and others in great profusion, and when the Indian was buried his ornaments and all he had were buried with him.

The last picture contains, on the top line toward the left, four Indian arrow-heads made of white metal discolored by exposure ; the rest are beads, shells, and ornaments of different kinds, a few very handsome ones of pearl.

Indian tribes and clans have had no foothold or settlement in this country for two hundred years and over. Their favorite resorts and resting-places have been by them, during that long time, deserted and abandoned to the possession and control of the European settlers and their descendants. It is not, therefore, strange that they should have left behind them in the graves of their chiefs and warriors, as well as occasionally by accident on the surface, coveted and cherished ornaments, as well as articles of use and necessity in their mode of life. It will be noticed, in regard to these relics, that the only instruments of war represented on any of them are the bow and arrow and the war-club—no fire-arms ; nor is an European represented on any of them. The white man in Indian pictography is represented always with a hat.

The author's task is now done, and it is a relief to him, as he supposes it will be to his readers after wading through the volume, to be able to say, **IT IS FINISHED.**

APPENDIX.

FIRST CHARTER OR PATENT GRANTED TO WILT- WYCK, 1661.

Copy of Translation.

CHARTER OF WILTWYCK, 1661.

PETRUS STUYVESANT, in behalf of the High and Mighty Lords, the States General of the United Netherlands, and the Lords Directors of the Privileged West India Company, Director-general of New Netherland, Curaçoa, Aruba, and Buenaire and dependencies, together with the High Council, To all who shall see, or hear this read, Greeting. Be it known, that their Honors, hoping and wishing nothing else but the prosperity and welfare of their good inhabitants generally, and particularly that of the residents in the village of Wiltwyck, situated in the Esopus; and desiring that this may be effected and preserved with more love, peace and harmony, and to show to each inhabitant of the aforesaid village, and prove by deed its effects; so is it, that the aforesaid Director-general and Council, considering the increased population of said village, resolve to favor its inhabitants with a subaltern court of justice, and to organize it as far as possible, and the situation of the country will permit, in conformity with the customs of the city of Amsterdam in Holland, but so, that from all judgments an appeal may be made to the Director-general and Council in New Netherland, who shall reserve the power to give their final decision.

It is therefore, necessary, so that everything may be effected with due order and respect, that there be chosen as judges, honest, intelligent persons possessing real estate, peaceable men, good subjects to their Lords and Patroons, and the high administration appointed by them in this country, professors of the Reformed religion, as it is now preached in the United Netherlandish churches,

in conformity to the word of God, and the orders of the synod of Dordrecht ; which court of justice for the present time, till otherwise shall be ordained by the aforesaid Lords Patroons in their authorized administration, shall consist of a Schout, being *in loco*, who shall summon in the name of the Director-general and Council, the appointed Schepens, and preside at their meeting ; and with him three Schepens, who for the present time and ensuing year, beginning with the last of May next, are elected by the Director-general and Council aforesaid, and confirmed after they shall have taken their oath, Evart Pels, Cornelis Barentsen Slecht, and Elbert Heymans Roose. Before whom all cases relative to the police, security and peace of the inhabitants of Esopus, so too all suits between man and man, shall be brought, heard, examined and determined by definitive judgment, to the amount of fifty guilders and below it, without appeal. But on higher sums it shall be left to the discretion of the aggrieved to appeal to the Director-general and Council aforesaid, provided that he enters the appeal in due time, and procures bail for the prosecution and expenses of the lawsuit, according to law.

If there be a disparity of votes and opinions on any occurrent affairs, then the minority shall coincide with the majority without contradiction. But it is permitted to those who adopt another opinion or advice, to have their sentiments and advice registered on the roll or protocol. But they shall by no means publish out of court their advice, or communicate the same to the parties, under arbitrary correction, at the discretion of the bench.

The Schout shall, in conformity to the first article, preside at the meeting, collect the votes, and act as secretary till further orders, or until the population is increased. But, whenever he shall either act for himself, or in behalf of the rights of the Lords Patroons, or in behalf of justice in the place of the Attorney-general, in all such cases he shall leave his seat, and absent himself from the bench, and in such cases he shall not have an advisory, much less a casting vote. In all such cases, one of the oldest Schepens shall preside in his place.

What in the aforesaid article is decreed with regard to the Schout shall take place in a similar manner with respect to the Schepens, whenever, in the aforesaid court, any cases or questions might occur between them as parties or others, nearly allied in blood to the appointed Schepens, as when a brother, a brother-in-law, or a cousin is concerned, viz.: in the first and right line.

All inhabitants of the Esopus are, till further orders, either from the Lords Patroons, or their higher magistrates, subjected and may be summoned before the aforesaid Schout and Commissioners, who shall hold their court, in the village aforesaid, every

fortnight—harvest time excepted—unless necessity or occasion might otherwise require.

To procure the good inhabitants of Wiltwyck a civil and easy administration of justice, the Schout as President, and the Schepens of this court, shall, for the better conveniency of parties, appear at the appointed day and place, on the fine of twenty stivers, to be disposed of by the college, when they shall have been informed by the court messenger, qualified for that purpose by the Director-general and Council, at least twenty four hours, of the sessions of the court, and double this sum for the President, except by sickness or absence. If they arrive too late, or after the stated hour, the penalty shall be six stivers.

No extraordinary sessions shall, at the expenses and burdens of the parties, be called, except at the request of both parties, with submission to the costs, in case of the loss of the suit; which costs shall previously be secured by the solicitant or plaintiff, viz.: for each Schepen, fifteen stivers; for the President, three guilders; besides a provision for the clerk, yet to be appointed, the court messenger, and other necessary costs, agreeably to law.

All criminal cases shall be directly referred to the Director-general and Council in New Netherland, provided that the court remains obliged to apprehend, arrest, detain and imprison the delinquents till they have a proper opportunity to transport them with safety before the supreme magistrate of the land, while in the mean time, they are holden to take good and correct informations with regard to the committed crime, at the expense of the criminal, or in behalf of the Attorney-general, and transmit these together with the delinquent.

Lesser crimes, as quarrels, injuries, scolding, kicking, beating, threatenings, simply drawing a knife or sword, without assault or bloodshed, are left to the judicature and decision of the aforesaid court, in which cases the Schout may act as plaintiff before said court, with reservation of the clause of appeal, if the condemned feel himself aggrieved by the decision of said court.

All criminals and delinquents guilty of wounding, bloodshed, fornication, adultery, public and notorious thefts, robberies, smuggling or contraband, blasphemy, violating God's holy name and religion, injuring and slandering the Supreme Magistrates, or their representatives, shall, with the informations, affidavits and witnesses, be referred to the Director-general and Council of New Netherland.

Should the situation of affairs be such that the President and Schepens deem it advisable for the security and peace of the inhabitants, during the absence of the Director-general and Council, for the greater advantage and peace of the village and court aforesaid,

to issue in said district any orders, respecting public roads, enclosure of lands, gardens or orchards, and further, what might concern the country and agriculture ; so, too, relative to the building of churches, schools, and other similar public works ; as well as the means from which, and in what manner, these shall be regulated, they are authorized to bring their considerations on such subjects in writing, support these by argument, and deliver them to the Director-general and Council, to be, if deemed useful and necessary, confirmed, approved and commanded by the Director-general and Council.

The aforesaid Schout and Schepens shall further take care, and are obliged to see the laws of our Fatherland, and the ordinances and placards of the Director-general and Council, already published, or which may be published, in future, carefully executed and kept in strict observance, and not to permit that, under any pretext, anything shall be done contrary thereto, but that the transgressors shall be prosecuted according to law.

The aforesaid Schout and court are not permitted to enact any ordinances, placards or similar acts, or publish and affix these, except by previous consent of the Director-general and Council.

The Schout and Schepens shall further take care and be holden, to assist the Noble Lords Directors, as Lords and Patroons of this New Netherland province, under the sovereignty of the High and Mighty Lords the States General of the United Provinces, and to aid to maintain them in their high jurisdiction, rights, domains, and all their other pre-eminences.

Whereas, it is customary in our Fatherland and other well regulated governments, that annually some change takes place in the magistracy, so that some new ones are appointed, and some are continued to inform the newly appointed, so shall the Schepens, now confirmed, pay due attention to the conversation, conduct and abilities of honest and decent persons, inhabitants of their respective village, to inform the Director-general and Council, about the time of the next election, as to who might be sufficiently qualified to be then elected by the Director-general and Council. Done, and given by the Director-general and Council, at their meeting in Fort Amsterdam, in New Netherland, this 16th day of May, 1661.

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ARTICLES OF CAPITULATION TO THE ENGLISH, 1664.

THESE articles following were consented to by the persons hereunder subscribed at the Governor's bowery August 27th, 1664.

1. We consent that the States General or the West India Company shall freely enjoy all farms and houses (except such as are in the forts), and that within six months they shall have free liberty to transport all such arms and ammunition as now does belong to them, or else they shall be paid for them.

2. All publique houses shall continue to the uses which they are for.

3. All people shall continue free denizens, and shall enjoy their lands, houses, goods, wheresoever they are within this country and dispose of them as they please.

4. If any inhabitant have a mind to remove himself, he shall have a year and six weeks from this day to remove himself, wife, children, servants, goods, and to dispose of his lands here.

5. If any officer of State, or publique minister of State, have a mind go for England they shall be transported fraught free in his Majesty's frigotts when those frigotts shall return thither.

6. It is consented to that any people may freely come from the Netherlands and plant in this colony, and that Dutch vessels may freely come hither, any of the Dutch may freely return home, or send any sort of merchandise home, in the vessels of their own country.

7. All ships from the Netherlands or any other place and goods therein, shall be received here, and sent hence after the manner which formerly they were before our coming hither for six months next ensuing.

8. The Dutch here shall enjoy the liberty of their conscience in divine worship and church discipline.

9. No Dutchman here or Dutch ship here, shall, upon any occasion, be pressed to serve in war against any nation whatsoever.

10. That the townsmen of the Manhattans shall not have any soldiers quartered upon them without being satisfied and paid for them by their officers, and that at this present, if the fort be not capable of lodging all the soldiers then the burgomasters by their officers, shall appoint some houses capable to receive them.

11. The Dutch here shall enjoy their own customs concerning their inheritances.

12. All publique writings and records which concern the inheritance of any People or the regiment of the church or poor, or orphans, shall be carefully kept by those in whose hands now they are, and such writings as particularly concern the States General may at any time be sent to them.

13. No judgment that has passed any judicature here shall be called in question ; nor if any conceive that he hath not had justice done him, if he apply himself to the States General, the other party shall be bound to answer for the supposed injury.

14. If any Dutch living here shall at any time desire to travaile or traffique into England or any place or plantation in obedience to his Majesty of England, or with the Indians he shall have (upon his request to the Governor) a certificate that he is a free denizen of this place, and liberty to do so.

15. If it do appeare that there is a publique engagement of debt by the town of Manhatoes and a way agreed on for the satisfying of that engagement it is agreed that the same way proposed shall go on, and that the engagement shall be satisfied.

16. All inferior civil officers and magistrates shall continue as now they are (if they please) till the customary time of new elections, and then new ones to be chosen by themselves, provided that such new chosen magistrates shall take the oath of allegiance to his Majesty of England before they enter upon their office.

17. All differences of contracts and bargains made before this day, by any in this country, shall be determined according to the manner of the Dutch.

18. If it do appear that the West India Company of Amsterdam do really owe any sums of money to any persons here, it is agreed that recognition, and other duties payable by ships going for the Netherlands, be continued for six months longer.

19. The officers military, and soldiers, shall march out with their arms, drums beating, and colors flying, and lighted matches ; and if any of them will plant, they shall have fifty acres of land set out for them ; if any of them will serve as servants, they shall continue with all safety and become free denizens afterward.

20. If at any time hereafter the King of Great Britain and the States of the Netherlands do agree that this place and country be redelivered into the hands of the said States, whensoever his Majestie will send his commands to redeliver it, it shall immediately be done.

21. That the town of Manhattans shall choose deputyes and those deputyes shall have free voyces in all publique affairs as much as any other deputyes.

22. Those who have any property in any houses in the fort of Aurania shall (if they please) slight the fortifications there, and then injoy all their houses as all people do where there is no fort.

23. If there be any soldiers that will go into Holland, and if the Company of West India in Amsterdam, or any private persons here, will transport them into Holland, then they shall have a safe passport from Colonel Richard Nicolls, deputy governor under his royal highness, and the other commissioners, to defend the ships that shall transport such soldiers, and all the goods in them, from any surprizal or acts of hostility to be done by any of his Majestie's ships or subjects. That the copies of the King's grant to his royal highness, and the copy of his royal highness's commission to Colonel Richard Nicolls testified by two commissioners more and Mr Winthrop, to be true copies shall be delivered to the Honorable Mr Stuyvesant, the present governor, on Monday next, by eight of the clock in the morning, at the old miln and those articles consented to and signed by Colonel Richard Nicolls, deputy governor to his royal highness, and that within two hours after the fort and town called New Amsterdam, upon the isle of Manhatoes shall be delivered into the hands of the said Colonel Richard Nicolls, by the service of such as shall be by him thereunto deputed by his hand and seal.

JOHN DE DECKER

NICHOLAS VARLETT

SAMUEL MEGAPOLENSIS

CORNELIS STEENWYCK

JACQUES COUSSEAU

OLOFF S. VAN CORTLANDT

ROBERT CARR

GEORGE CARTWRIGHT

JOHN WINTHROP

SAMUEL WILLYS

JOHN PYNCHON

THOMAS CLARKE

I do consent to these articles

RICHARD NICOLLS.

KINGSTON PATENT, 1687.

THOMAS DONGAN Cap^t Generall Governour in Cheife & Vice Admirall in and over the Province of New Yorke & Territoryes Depending thereon in America under his most Sacred Majesty James the Second by the Grace of God of England Scottl^d France & Ireland King Defend^r of the faith &c. To all whom these Presents shall Come Sendeth Greeting Whereas the freeholders and Inhabitants of a Certaine Place or Towne Called Kingston in the County of Ulster in this his Ma^{ties} Province of New Yorke are Possessed of Divers Tracts of Land and Hereditam^{ts} Scituate lyeing & being in the County of Ulster aforesaid and whereas the said freeholders & Inhabitants of Kingston by their humble Request have made itt knowne unto me that the Lands & Hereditam^{ts} aforesaid whereof they are so in Possession as abovesaid are not Sufficient *for* the Support & Maintainance of such a Number of People as are already Inhabitants thereof & have therefore made their applycacon unto me that I would on the behalfe of his said Majesty under the Seale of the Province Grant unto the said freeholders & Inhabitants of Kingston such other lands being unimproved and not already Granted to any other Person or Persons whatsoever as might bee fitt & Convenient for them as also that I would Erect and make the said freeholders and Inhabitants of Kingston afores^d and their Successors into one Body Corporate and Politique in Name & in Deed with such Powers Libertyes Privilidges & Immunityes as might be Convenient & Necessary as well for the Regulating and Well Governing the freehold^{ts} & Inhabitants of Kingston aforesaid as for their well being beinifitt and advantage. Now know Yee that I the said Thomas Dongan by virtue of the Commission and authority unto me Given by his most Sacred Majesty in Consideraçon of the Quitt Rents hereinafter Reserved and for Diverse other Good Causes & Lawfull Consideraçons me hereunto moveing I have Granted Rattified and Confirmed & by these psents Do Grant Ratifie and Confirme unto Dirick Schepmous Jacob Ruttsen Wessell Tenbrooge W^m De Meyer Garrett Aertze Tunis Elise Benjamine Provoost W^m Legge Jacob Aertson Mattyze Mattise W^m Haines and John W^{ms} Hooghten freeholders & Inhabitants of Kingston aforesaid hereinafter Erected & made one Body Corporate & Politique & Willed & Determined to bee Called by the

Name of the Trustees of the freeholders & Comonalty of the Town of Kingston their Heirs & Successors forever all that Tract of Land Situate lyeing & being in the County of Ulster afores^d that is to say to begin att the Bounds of the County of Albany thence to runn Southward along Hudson's River to Little Esopus Creek thence on a West Line to the Bounds of Hurly from thence along the Bounds of Hurly to a Certaine Creeke Called Motthar Creeke thence Northerly to another Certaine Creeke Preemakers Creeke thence upon a North line three English Miles into the Woods thence the same Course as the Mountaines Range to the Bounds of Albany aforesaid and from thence along the said Bounds to Hudson's River together with all & Singuler the Messuages Houses Tenem^{ts} Buildings Mills Mill Dams Lands ffencings Inclosures Gardens Orchards Meadows fields Pastures Woods Underwoods Trees Timber ffeedings Comon of Pasture Marshes Swamps Plaines Rivers Rivoletts Waters Lakes Ponds Brooks Streams Quarryes Mines Mineralls (Royall Mines only *excepted*) Creeks Harbors ffishing hawking hunting & fowleing as also all Rents Services Wasts Strayes Royalties Privilidges Immunityes ffranchizes Rights Members and appurtences and all other Easements ffranchises Proffitts Commodities & Emolum^{ts} & Hereditaments whatsoever to the said Tract of Land and Premissess belonging or in any wise appurtaineing or any time heretofore therewithall used accepted Deemed Reputed or taken as Part or Parcell thereof to have & to hold all the before recited Tract of Land & Premissess with all & every the Hereditam^{ts} & appurten^{ces} unto the said Dirick Schepmous Jacob Ruttsen Wessell Tenbrook William De Meyer Garret Aertze Tunise Elisie Benjamin Provost W^m Legg Jacob Aertzen Martyze Martise W^m Haines & John Williams Hoghten the Trustees of the Freeholders & Commonality of Kingston aforesaid their Heirs and Successors forever to the Sole & only Proper use benefitt & behoofe of them the s^d Dirick Schepmous Jacob Ruttsen Wessell Tenbrooge W^m De Myer Garret Aertze Tunisse Elise Benjamin Provoost W^m Legg Jacob Aertzen Martyze Martise W^m Haines & John Williams Hooghten the Trustees of the freeholders & Commonality of Kingston abovesaid their Heires & Successors forever to bee holden of his said Ma^{tie} his Heirs & Successors in free & Comon Soccage according to the Tenure of East Greenwich in the County of Kent in his Majestyes Kingdom of England Yeilding Rendring and Paying therefore Yearly & every Yeare forever unto his most Sacred Majesty his Heirs & Successors or to such Officer or officers as from time to time shall be appointed authorized to Receive the same one hundred & fouer Bushells of Good Sweett Merchantable Winter Wheat on the five & twentyth Day of the Month of March att the Citty of New Yorke in Liew & Stead of all

Services Dutyes & Demands whatsoever Provided alwayes and it is the true intent & meaning of these Presents that this Present Grant nor anything herein Contained shall ever be Construed or Extend to enervate hurt or Dstroy any the Right Title Intrest Property Clayme & Demand of any Peticuler Person or Persons holding Claimeing or Demanding any Lands Tenements or Hereditam^{ts} within the Limitts and Bounds aforesaid by virtue of any former Grant or Pattent whatever any thing herein before menõed or Exprest to the Contrary hereof in any wise Notwithstanding Provided also that this Grant nor any Clause Matter or thing therein Contained shall bee Construed meant intended or extend to Give any Power authority Right or Title to the said Trustees of the Freeholders of the Commonality of Kingston aforesaid their Heirs or Successors or to any person or Persons whatsoever to Impose Levy take Perceive or Receive any Toll Custome Tax or other Imposiõen upon any Highway or Road that now is used Occupied & Enjoyed or that hereafter by Due Course of the Law shall be Laid out within the Bounds & Limitts before Exprest or thereby to Incumber or Charge any Person or Persons Waines Carts Waggon^s or Carriages Whatever butt that the same shall bee and are hereby fully freely and absolutely therefrom Cleared and Discharged as if this Grant and all and every Clause matter and thing therein had never been Executed and made And further by Virtue of the Power & Authority to me the said Thomas Dongan Given as aforesaid and in Persuance of the same and for the Reasons and Consideraõns above Recited I have Willed Determined Declared and Granted & by these Presents Do Will Determine Declare and Grant that the said Inhabitants & ffreeholders the ffreemen of Kingston aforesaid Commonly Called by the Name of the ffreeholders & Inhabitants of the Town of Kingston or by whatever name or names they are Called or Named & their Successors forever hence forward are & shall be one Body Corporate & Politique in Deed & Name and by Name of the Trustees of the ffreeholders and Comonality of the Towne of *Kingston* one Body Corporate & Politique in Deed and Name I have Realy and fully for his said Ma^{tie} his Heirs and Successors Erected made Ordained Constituted and Declared by these Psents and that by the same Name they have Succession forever and that they & their Successors by the Name of the Trustees of the ffreeholders & Commonalty of the Towne of Kingston bee & shall be for ever in future times Persons able & Capable in Law to have Perceive Receive & Possesse not only all & Singuler the Premissess butt other Messuages Lands Tennem^{ts} Privilidges Jurisdiõns ffranchizes & Hereditam^{ts} of whatsoever kjnde Nature Quality or Species they shall be to them & their Successors in ffee for ever or for the terme of a Yeare or

Yeares or otherwise whatsoever manner itt bee and also Goods Chattels & all other things of whatsoever Name Nature Quality or Species they shall bee to them & their Successors and also to Give & Grant Release alien assigne & Dispose of Lands Tennem^{ts} Hereditam^{ts} & all & every other thing & things Act & Acts to Doe & Execute by the Name aforesaid and that by the same Name of the Trustees *of* the Freeholders & Commonality of the Towne of Kingston to Plead & bee Impleaded answer and be answered unto Defend & bee Defended they are & may bee Capable in whatsoever Place & Places and before whatsoever Judges & Justices or other Persons or officers of his said Ma^{tie} his Heirs and Successors in all and all manner of a^ccons Plaints Sujts Complaints Causes Matters & Demands whatsoever of what Kind Quality & Species the same bee and shall bee in manner & forme as any other of his Ma^{ties} Leige People within this Province Can or are able to have Require Receive Possesse Enjoye Retaine Give Grant Release aliene assigne & Dispose Plead and bee Impleaded answer and bee answered unto Defend & be Defended Do Permitt or execute and for the better enabling the Trustees of the freeholders & Commonality of the Towne of Kingston aforesaid in Doeing and Executing all and Singuler the Premissess I have Willed Granted & Determined and by these Presents Doe Will Grant & Determine that from hence forward & for ever hereafter the said Trustees of the freeholders & Comonality of the Towne of Kingston Doe and *may* have and use a Common Seale which shall serve to Execute the Causes and affaires whatsoever of them and their Successors And further I will and by these Presents in behalfe of his said Majesty his Heirs and Successors Do Grant that hence forward for ever more there bee & shall bee Trustees of the Freeholders & Commonality of the Town of Kingston aforesaid to be Chosen & Elected as in these Presents hereafter is men^coned who shall be & shall bee Called the Trustees of the Freeholders & Commonality of the Towne of Kingston & their Successors shall & may att all Convenient times hereafter upon a Publick Summons to be obtained att the request of any three of the Freeholders and Commonality aforesaid from any of his Ma^{ties} Justices of the Peace of the said Towne or Default thereof from any of the Justices of the County of Ulster for the time being assemble & meett together in the Towne house of the said Towne or in such other Publique Place as shall from time to time appointed to make such acts & Orders in Writeing for the more orderly Doeing of the Premissess as they the said Trustees of the freeholders and Commonality *of* the Towne of Kingston aforesaid & their Successors from time to time shall and may think Convenient soe alwayes as the said Acts & Orders bee in noe wayes Repugnant to the Laws of England & of this Province which now

are or hereafter may be established and that they bee not in any wise against the true intent & meaning of these Presents and also I will ordaine & Determine that all and Singuler ye aforesaid Acts & orders from time to time shall be made and ordered by the vote of the Major Part of the said Trustees of the freeholders & Commonality of the Towne of Kingston aforesaid or att Least by the Major Parte of such of them as shall from time to time assemble & meete together in manner aforesaid so alwayes their be not fewer in Number then Seven of the said Trustees psent att such meetings so to be held as aforesaid and for the better Execucon of this Grant in this behalfe I have assigned Nominated Created Constituted & made & by these Presents Doe assigne Nominate Create Constitute & make Dirick Schepmous Jacob Ruttsen Wessell Tenbroogg W^m De Meyer Gerret Aertze Tunis Ellise Benjamine Provoost W^m Legg Jacob Aertze Martyze Martisse W^m Haines & John Williams Hooghten to Stand & Bee the first Moderne Trustees of the Freeholders untill the time that others be Elected & Chosen in their Stead & Place according to the mannor & fforme herein after Expressed and moreover I do by these Presents for and on behalfe of his most Sacred Majesty aforesaid his Heirs & Successors appoint that the Trustees of the freeholders & Comonality of the Towne of Kingston *Constables* & Assessors within the Towne of Kingston aforesaid bee Yearly Chosen on the first Tuesday in March forever (viz^t) that twelve Trustees of the freeholders & Commonality of the Towne of Kingston three Constables & three Assessors within the Towne of Kingston aforesaid bee Yearly Chosen in such Publick Place as the Trustees for the time being shall appoint & Direct and that the Trustees Constables & Assessors be Chosen by the Majority of Voices of the freeholders & freemen of the Towne of Kingston aforesaid and further I the said Thomas Dongan Do Hereby Grant unto the said Trustees of the freeholders & Commonalty of the said Towne of Kingston & to their successors forever and I do hereby Will Determine & Ordaine that Yearly & every Yeare forever att the time & Place before mentoned & Exprest out of the said twelve Trustees to be so Chosen as aforesaid five Persons shall be Elected and appointed in manner before Recited who shall and are hereby authorized Commissionated & Empowered to hold Pleas of Debt & Tresspass in the same manner and with the same Powers authorities Priviledges & Libertyes as in & by the Laws & Statutes of this his Ma^{ties} Province the Commissioners of the Respective townes within the same have hold use & Enjoy and that of the said five Persons there shall alwayes be three att the least that shall hold & the Court and Pleas aforesaid And Lastly I Give & Grant for & on behalfe of his Ma^{tie} his Heirs & Successors by these Presents to all

& every pson and Persons & to whatsoever Person Subject to his said Ma^{tie} his Heires and Successors ffree & Lawfull Power Ability & Authority that they or any of them any Messuages Tennem^{ts} Lands Meadows feedings Pastures Woods Underwoods Rent Rents Reversions Services & other Hereditam^{ts} whatsoever within the said County of Ulster which they Hold of his said Ma^{tie} his Heires & Successors unto the aforesaid Trustees of the ffreeholders & Commonality of the Towne of Kingston & their Successors and Give Grant Bargaine Sell & alienate to have hold & Enjoy unto the said Trustees of the ffreeholders & Commonality of the Towne of Kingston & their Successors forever Yeilding & Paying therefore unto his said Ma^{tie} his Heires and Successors on the said five & twentyth Day of March Yearly & Every Yeare forever the full & just Sume of one Shilling Curr^{tt} mony of this Province att New Yorke wherefore by Virtue of the Power & Authority aforesaid I Do Will and Comand for & on behalfe of his said Maj^{tie} his Heires & Successors that the aforesaid Trustees of the ffreeholders & Comonality of the Towne of Kingston & their Successors have hold use & enjoye and that they shall and *may* forever have hold use & Enjoye all the Libertyes Authorityes Customs Orders Ordinances franchises Appurtenances Lands Tennem^{ts} and Hereditam^{ts} Goods & Chattles aforesaid according to the tenure & Effect of these Presents in Testimony whereof I have Caused these Presents to be entred upon Record in the Secretarys Office and the Seale of the Province to be hereunto affixed this 19 day of May 1687 and in the third Yeare of his Ma^{ties} Reigne

THO: DONGAN.

May it Please Yo^r Ex^celly.

The Attourney Gen^l hath Perused this Grant & finds nothing therein Contained Prejudiciall to his Ma^{ties} Intrest.

W. NICOLLS.

Exāmd November y^e first 1687.

Att a Councill held att ffort James thirsday the 17th May 1688.

Present

His Ex^celly the Governo^r

Major BROCKHOLLS

Major BAXTER

Major PHILLIPS

Major CORTLANDT

Major BYARD

M^r JAS GRAHAM

This Pattent was approved off—

J. KNIGHT D: Secy.

I do hereby Certify the foregoing to be a true Copy of the Original Record. The Word *the* 5th line page 319 written on a Razure. And as in said Record there being a word obliterated in the 11th line of Page 325. Compared therewith By Me

LEWIS A. SCOTT, *Secretary.*

AGREEMENT TO MAINTAIN CONSTITUTIONAL RIGHTS.

GENERAL association signed by the freeholders and inhabitants of Kingston, Ulster County, being similar to that adopted and signed by the members of the Provincial Congress, including the delegates from Ulster County—to wit: James Clinton, Johannis Hardenbergh, Egbert Dumond, Christopher Tappen, John Nicholson, and Jacob Hoornbeek.

Note.—The signatures are not inserted in the *order* in which they appear on the original, but they have been placed in alphabetical order for convenience of reference.

Persuaded that the salvation of the rights and liberties of America depends, under God, on the firm union of its Inhabitants in a vigorous prosecution of the measures necessary for its safety; and convinced of the necessity of preventing the anarchy and confusion which attend the dissolution of the powers of Government we the Freemen Freeholders and Inhabitants of the town of Kingston Ulster County being greatly alarmed at the avowed design of the Ministry to raise a revenue in America, and shocked by the bloody scene now acting in the Massachusetts Bay do in the most solemn manner, Resolve never to become slaves; and do associate under all the ties of Religion, honour and love to our country, to adopt and endeavor to carry into execution whatever measures may be recommended by the Continental Congress, or resolved upon by our Provincial Convention, for the purpose of preserving our Constitution, and opposing the execution of the several arbitrary and oppressive acts of the British Parliament until a reconciliation between Great Britain and America on constitutional principles (which we most ardently desire) can be obtained and that we will in all things follow the advice of our General Committee respecting the purposes aforesaid the preservation of Peace and good order and safety of individuals and private property.

John Allen, James Allen, David Aucmudy, John Addison, Pierre Aneton, Captain Evert Bogardus, Petrus Bogardus, Petrus Bogardus, Jr.; Nicholas Bogardus, Isaac Burhans, Richard Burhans, John Burhans, Cornelius Burhans, Samuel Burhans, Barent Burhans, Edward Burhans, John J. Burhans, Jan Burhans, Samuel Burhans, Petrus Burhans, Jacob Burhans, Johannis Besimer, Jacobus Besimer, Juren Bear, Adam Bear, Jacobus S. Bruyn, Cornelis Beekman, John Beekman, Tjerck Beekman, Johannis Backer, Jacob Backer, Hendrick Backer, Petrus Backker, John Brink, John Brinck, Jr.; Petrus Brinck, Cornelis J. Brink, Cornelis C. Brink, Jacob Brink, Petrus C. Brink,

Francis Bedan, Johan Michel Berger, Abner Brush, Johannis Beyman, Nicholas Britt, Hendrick Britt, Peter Britt, Moses Cantine, Moses Cantine, Jr.; William Coleman, Cornelis Conway, Jr.; Michel Connolly, Joseph Chip, John Chipp, Elisha Clark, John Carman, David Cox, William Austin Cox, Wendell Crimer, Seth Curtis, Johannis Carter, Jacob Conyers, George Calle, Joshua Dubois, Jeremiah Dubois, Jacobus Dubois, Samuel Dubois, William Dubois, Hezekiah Dubois, Hezekiah Dubois, Jr.; Johannis N. Dubois, Jacobus Dubois, Johannis Dubois, Johannis J. Dubois, David Dubois, Charles Doyl, Lucas Dewitt, Jan Dewitt, Tjerek C. Dewitt, Johannis Dewitt, Jr.; Andries Dewitt, Jr.; Jans Dewitt, Petrus Dewitt, Cornelis D. Dewitt, Arie Dewitt, William Davenport, John Davenport, Abraham Davenport, Sampson Davis, Cornelis Dumond, Peter Dumond, Peter Dumond, Jr.; John Dumond, John Dumond, Jr.; Jacobus Dumond, Philip Dumond, John P. Dumond, Egbert Dumond, Hendricus Degraef, Johannis Degraef, Jurrie W. Dederick, Jacobus Dederick, William Dederick, Jr.; Matthew Dederick, Johannis Dederick, Myndert Dederick, Abraham Dederick, Gysbert Dederick, John Delamater, Abraham J. Delamatter, Abraham Delametter, Jr.; Benjamin Delametter, David Delametter, Abraham J. Delametter, John Durnare, Benjamin Demeyer, Jeremiah Demyer, Christiaan Dull, Petrus Elsworth, William Elsworth, Frederick Eijgenaer, William Eijgenaer, Jacob Eijgenaer, Johannis Eijgenaer, Petrus Eijgenaer, Cornelius Eijgenaer, Peter Eyganaer, William Evans, John Elmendorph, Coenradt C. Elmendorph, Petrus Elmendorph, Cornelis Elmendorph, Benjamin Elmendorph, Jan Elmendorph, Abraham Elmendorph, Jacobus Elmendorph, Petrus Elmendorph, Coenradt Jan Elmendorph, Cornelis Elmendorph, Jr.; Jacobus Elmendorph, Gerrit Elmendorph, Coenradt G. Elmendorph, Ariegiertsie Elmendorph, Gerrit Coenradt Elmendorph, Coenradt Cornelis Elmendorph, Coenradt Jacobus Elmendorph, Jonathan Elmendorph, Wilhelmus Emerigh, Johannis Emerigh, William Eltinge, William Eltinge, Jr.; Thomas Eltinge, Hendricus Eltinge, Jacobus Eltinge, Solomon Eckert, Jr.; Michel Eenhart, John Ellis, Christian Fiero, Christian Fiero, Jr.; Stephanus Fiero, Hendrick Fiero, Hendrick P. Freligh, Peter Freligh, Samuel Freligh, John Freligh, Johannis Freer, Abraham Freer, Solomon Freer, Solomon Freer, Jr., John Freer, Jacob Freer, Gerrit Freer, Anthony Freer, Samuel Freer, Jan Freer, Philip Felten, Johannis Felton, Jacob Felton, Benjamin Felton, Petrus Felton, Johannis Felter, Jr.; John Fender, James Foran, Jacob Frans, Jacob Frans, Jr.; Jeronijmus Gerrensy, James Gregg, Charles Gyles, Joseph Gasherie, Daniel Graham, Elias Hasbrouck, Abraham A. Hasbrouck, Solomon Hasbrouck, Colonel Abraham Hasbrouck, Abraham Hasbrouck, Jr.; Martyanus Hummell, Jerrie Hummell, Jr.; Hermanus Hummell, Peter Hummell, Johannis J. Hummell, Jacob Hendrickse, Jacob Hendrickse, son of Frans; Johannis Hendrickse, Phillip Hendrickse, Abraham Hoffman, Anthony Hoffman, Anthony A. Hoffman, John Hoghteling, Wilhelmus T. Hoghteling, Thomas Hoghteling, Tunis Hoghteling, Wilhelmus Hoghteling, Wilhelmus W. Hoghteling, Jeremiah Hoghteling, Jacob Heermanse, John Hermans, Abraham Hermanse, Peter Hodler, Michel Hoof, Michel Human, Jacob L. Hornbeek, James Jones, Johannis J. Jansen, Matthias Jansen, Cornelis Jansen, Jr.; Johannis Jansen, Ephraim Jansen, Henry Jansen, Jeremiah Klaarwater, Coenradt Krook, Martha Krook, Lawrence Kiever, Baltus Kiever, William Kiever, Johannis Kroce, Wilhelmus Kierstaede, Luke Kierstaede, Nicholas Kierstaede, Christoffel Kierstaede, John Kallon, Jacob Kline, Daniel Lucas, John J. Low, Peter Low, Benjamin Low, Abraham C. Low, John Low, Abraham E. Low, Jacobus Low, Abraham Low, Abraham Low, Jr.; Cornelis Langendijck, Luijker Langendijck, William Legg, Samuel Legg, George Lassing, William Litts, Jacob Marius Groen, Jacob Marius Groen, Jr.; William Marius Groen, Peter Marius Groen, Silvester Marius Groen, Dederick Materstock, Adam Materstock, Jacob Materstock, William Materstock, Johannis Materstock, Jacobus Montanie, Benjamin Masten, Ezekel Masten, Johannis C. Masten, Johannis B. Masten, Cornelius B. Masten, Samuel Masten, Johannis Masten, Cornelis Masten, Abraham Masten, Benjamin Masten, Jr.; Abraham Masten, Jr.; Henry Masten, Cornelis Marten, Andrew McFarland, Jesaias Meyer, Benjamin Meyer, Benjamin Meyer, Jr.; Hendricus Meyer, Christian Meyer, William Meyer, Petrus Meyer, Johannis Meyer, Jr.; Petrus Meyer, Jr.; Petrus Low Meyer, Samuel Meyer, Tobias Meyer, William J. Meyer, Johannis Meyer, Jr.,

Tobias Meyer, Teunis Meyer, Stephanus Meyer, Peter J. Meyer, Jacob Mowers, Johannis Mowers, Jr.; Petrus Mowers, Leonard Mowers, Nicholas Mowers, Johannis Miller, Nicholas Miller, Christophel Miller, John Monk, Harmon Minkelaer, Myndert Mynderse, John McKinney, John McKarty, John McLean, Robert Montgomery, Arie Newkirk, Jacobus Newkirk, Charles Newkirk, Cornelis A. Newkirk, Jan L. Osterhoudt, Abraham Osterhoudt, John C. Osterhoudt, Petrus P. Osterhoudt, Jr.; Hendrickus Osterhoudt, Samuel Osterhoudt, William Osterhoudt, Hendrickus Osterhoudt, Jr.; James Osterhoudt, Benjamin Osterhoudt, Petrus L. Osterhoudt, Joseph Osterhoudt, James P. Osterhoudt, Petrus Osterhoudt, Cornelis Persen, Johannis Persen, Jacobus Persen, John J. Persen, Matthews Persen, Adam Persen, James Pickken, Jacob Pulver, Abraham Post, Jacobus Post, Cornelis Post, Martynus Post, Jacobus Post, Jan Post, Isaak Post, Hendrick Post, William Phoenix, Jeremiah Parcell, Henry Parcelo, Peter Roggen, Frantz P. Roggen, Jurrie W. Richtmeyer, Johannis Richtmeyer, Coenraedt Rechtmeyer, Hermanus Rechtmeyer, John Row, Sr.; Lodewick Roessell, Hendrick Snyder, Martha Snyder, Benjamin Snyder, Abraham Snyder, Isaac Snyder, Jeremiah Snyder, Martijns Snyder, Jr.; Johannis M. Snyder, Petrus Snyder, Johannes Snyder, Egbert Schoonmaker, Peter Schoonmaker, Egbert Schoonmaker, Samuel Schoonmaker, Edward Schoonmaker, Hezekiah Dubois Schoonmaker, Hendricus Schoonmaker, Hendrick Schoonmaker, Edward Schoonmaker, son of Tjereck; Tjereck Schoonmaker, David Schoonmaker, Tjereck Schoonmaker, Jr.; Hezekiah Schoonmaker, John E. Schoonmaker, Cornelis Swart, Cornelis L. Swart, Benjamin Swart, Adam Swart, Samuel Swart, Wilhelmus Swart, Petrus Swart, Phillip Swart, Tobias Swart, Hendrick Staats, Laurence Saulisbury, Gilbert Saxon, Augustinus Shoe, Jerijnias Shoe, William Sawyer, Solomon Skutt, Solomon Skutt, Jr.; John Schepmoes, William Schepmoes, Adam Short, Oke Sudam, George Sparling, John Sparling, Petrus Sax, Alabartus Schryven, Martijns Schryven, Stephanus Schryven, Johannis Schryven, John Smedes, Petrus Smedes, Petrus Smedes, Jr.; Teunis Slegt, Benjamin Slegt, Hendricus B. Slecht, Hendricus Slecht, Johannis Slecht, Petrus Slecht, Hendricus J. Slecht, Hendrick Turk, Benjamin Turk, Jacob Turk, Abraham Turk, Jacob Trimper, William Thompson, Wessel Ten Brock, Wessel Ten Brock, Jr.; Cornelis Ten Brock, Benjamin Ten Brock, Coenradt Ten Brock, Jacob Ten Brock, John Trompour, Matthew Edward Trompour, William Teerpenning, Jurryann Tappan, Christoffel Tappan, Cornelis Van Keuren, Jr.; Gerrit Van Keuren, Abraham Van Keuren, Abraham Van Keuren, Jr.; Matthias Van Keuren, Matthew Van Keuren, Jr.; Cornelius M. Van Keuren, Johannis J. Van Keuren, Phillip Van Keuren, Johannis Van Keuren, Hezekiah Van Keuren, Isaac Van Aken, Peter Van Aken, Benjamin Van Aken, Gideon Van Aken, Petrus Van Aken, Eliphaz Van Aken, Marjorius Van Aken, Jan Van Aken, Abraham Van Aken, Abraham G. Van Aken, Nicholas Vanderlyn, Tobias Van Buren, Philip Van Buren, Matthew Van Buren, Cornelis Viele, Phillipus Viele, John Valkenburgh, Christian Valkenburgh, Isaac Van Wagonen, Isaack Van Wagonen, Jr.; Peter Van Leuven, John Van Leuven, Jr.; Andries Van Leuven, William Van Cleef, Jacobus Van Gaasbeek, Thomas Van Gaasbeek, Abraham W. Van Gaasbeek, Abraham Van Gaasbeek, John Van Gaasbeek, Laurence Van Gaasbeek, William Van Gaasbeek, Johannis Valck, Jr.; Wilhelm Valck, Aaronhoudt Valck, Solomon Van Beenschoten, Jacob Van Beenschoten, Johannis Van Beenschoten, John Van Steenbergh, Petrus Van Steenbergh, Abraham T. Van Steenbergh, Abraham Van Steenbergh, Tobias Van Steenbergh, Jr.; Matthew Van Steenbergh, Benjamin Van Steenbergh, Hendricus Van Steenbergh, Jacobus Van Etten, Johannis Van Etten, Arie Van Etten, Abraham Van Vliet, Johannis Van Vliet, Jan Van Vliet, Tjereck Van Vliet, Wilhelm Vollandt, Anthony L. Van Schaayck, Joseph West, Peter West, Samuel Whittaker, Peter Whittaker, Jacobus Whittaker, Benjamin Whittaker, Barent Whittaker, James J. Whittaker, William Whittaker, Jr.; Abraham Whittaker, John Whittaker, Jr.; Philip Whittaker, John Whittaker, William Whittaker, Edward Whittaker, James Whittaker, Jr.; Johannis Wolfin, Johannis Wolfin, Jr.; Samuel Wolfin, Godfrey Wolfin, Hendrick Wolfin, Jeremiah Wolfin, Jacobus Wolfin, Wilhelmus Wolfin, John Wolfin, Laurence Winne, Peter A. Winne, Arent Winne, Benjamin Winne, Johannis Wiest, Petrus Wiest, Jan Wells, Hendricus Wells, Cornelius Wells, Johannis Weaver, John Walker,

Evert Wynkoop, Peter Wynkoop, Hezekiah Wynkoop, Tobias Wynkoop, Cornelius E. Wynkoop, William Wynkoop, Dirck Wynkoop, Jr.; Johannis Wynkoop, James Welch, Jurryaun Young, John Young, Jeremiah Young.

In pursuance of a resolve of the Provincial Congress of the Colony of New York dated the 29th day of May 1775 we the committee of the Corporation of Kingston in the County of Ulster, do hereby certify that the above list or roll contains all the persons' names who have signed the General Association within the Corporation of Kingston; also annexed list returned to us, containing the names of a troop of horse, who reside in different parts of the said County; and also a list on the back hereof of the persons' names who have refused to sign the said Association. All which, with humble submission, we herewith return to the Provincial Congress aforesaid.

Dated at Kingston this 1st day of July 1775 by order of the Committee

JOHANNES SLEGHT *Chairman.*

SIGNERS IN THE TROOP OF HORSE IN ULSTER COUNTY, DATED IN KINGSTON, JUNE 9, 1775.

Philip Hoghteling, Captain; Silvester Salisbury, First Lieutenant; Peter Menderse, Second Lieutenant; C. C. Newkirk, Cornet; Cornelius J. Dubois, First Quartermaster; James Roe, Second Quartermaster; Abner Houghteling, Clerk; Petrus Brinck, Benjamin Bruyn, Abraham Burhans, Daniel Broadhead, Tobias Du Bois, Anthony Dumond, Cornelius J. Depue, Benjamin Depue, Jr.; Petrus Du Bois, William De Witt, John J. Du Bois, Isaac C. Davis, Jacobus F. Davis, Jacob Elmendorph, Jr.; Gerrit Elmendorph, Jr.; Jonathan. Elmendorph, Jr.; Johannis Ealigh, Jury Folland, James Hamilton, Martinus Hummel, Jr.; John Hasbrouck, Wilhelmus Houghteling, Jr.; Benjamin Krom, Petrus J. Keator, Tjerek Low, John Mynderse, Johannis Merkel, Phillip Newkirk, Aric Newkirk, Petrus Ed. Osterhout, Johannis H. Osterhout, Edward Osterhout, Petrus P. Osterhout, Moses Paterson, Petrus Smith, Felten Smith, Benjamin B. Schoonmaker, Johannis Turck, Abraham Ten Broeck, Jacobus Van Waggenen, Abraham Van Waggenen, Jr.; Frederick Vandermerken, Jr.; Adam Wolfen.

KINGSTON, June 9, 1775.

A LIST OF THE PERSONS WHO HAVE REFUSED TO SIGN THE GENERAL ASSOCIATION.

Jan Laurence Bogh, William Burhans, Johannis Burhans, Adam Bartolomews, John Cox, Jr.; Benjamin Dewitt, Benjamin Delameter, Jr.; Richard Davenport, Jacob Dewitt, Owen Daily, Stephanus Eckert, William Ealigh, Andries Ealigh, William Fiero, Abraham Hommel, Peter Luecks, John Luecks, Josias Minklaer, Johannis Plank, Johannis Plank, Jr.; Johannis Row, Frederick Row, Jr.; Albartus Sheyter, Johan Samuel Schoonmaker, Johannes Smith, Petrus Schoonmaker, Jr.; Jacob Trompour, Paul Trompour, Johannis Trompour, Nicholas Trompour, Mattheus York, John York.

OFFICERS OF ULSTER COUNTY REGIMENTS, THE COMMISSIONS OF THE
FIELD OFFICERS RESPECTIVELY DATED OCTOBER 25th, 1775.

Colonel, Johannis Hardenbergh.
Lieutenant-Colonel, Abraham Hasbrouck.
Major, Johannis Snyder.
" Jonathan Elmendorph.
Adjutant, Petrus I. Elmendorph.
Quartermaster, Abraham A. Hasbrouck.

Colonel, James Clinton.
Lieutenant-Colonel, James McClaughry.
Major, Jacob Newkirk.
" Moses Phillips.
Adjutant, George Denniston.
Quartermaster, Alexander Trimble.

Colonel, Levi Pawling.
Lieutenant-Colonel, Jacob Hoorabeck.
Major, Johannis Cantine.
" Joseph Hasbrouck.
Adjutant, David Bevier.
Quartermaster, Jacobus Bruyn, Jr.

Colonel, Jonathan Hasbrouck.
Lieutenant-Colonel, Johannis Hardenbergh,
Jr.
Major, Johannis Jansen, Jr.
" Lewis Dubois.
Adjutant, Abraham Schoonmaker.
Quartermaster, Isaac Belknap.

ROLL OF THE OFFICERS ELECTED IN THE SEVERAL DISTRICTS OR
BEATS IN THE TOWN OF KINGSTON, ULSTER COUNTY, AGREE-
ABLE TO THE RESOLVES OF THE PROVINCIAL CONGRESS.

BEAT No. 1.

Evert Bogardus, Captain.
Daniel Graham, First Lieutenant.
Anthony Frere, Second Lieutenant.
Johannis Persen, Ensign.

BEAT No. 2.

Moses Cantine, Jr., Captain.
Philip Swart, First Lieutenant.
Abraham G. Van Aken, Second Lieutenant.
Hendricus Tarepenning, Ensign.

BEAT No. 3.

Matthew Dedrick, Captain.
Evert Wynkoop, Jr., First Lieutenant.
Petrus Eygenaer, Second Lieutenant.
Hendrick Myer, Ensign.

BEAT No. 4.

John L. Dewitt, Captain.
Petrus Oosterhoudt, First Lieutenant.
Tobias Myer, Second Lieutenant.
Petrus Brink, Ensign.

BEAT No. 5.

Lucas Dewitt, Captain.
Jeremiah Snyder, First Lieutenant.
Petrus Backer, Second Lieutenant.
Petrus West, Ensign.

BEAT No. 6.

Hendrik Schoonmaker, Captain.
Edward Schoonmaker, First Lieutenant.
Edward Whittaker, Second Lieutenant.
Isaac Burlhans, Ensign.

The above is a true copy of the returns made to the Committee
of Kingston by

JOSEPH GASHIERIE.

Commissions issued October 25th, 1775.

RETURN OF A COMPANY OF HORSE IN THE TOWN OF KINGSTON,
IN ULSTER COUNTY.

Philip Houghteling, Captain ;
Sylvester Salisbury, First Lieutenant ;
Petrus Myndertse, Second Lieutenant ;
Cornelius C. Newkirk, Cornet ;
Cornelius J. Du Bois, First Quartermaster ;
James Roe, Second Quartermaster.

Commissions dated October 25th, 1775.

ROLL OF OFFICERS IN THE REGIMENT WHEREOF LEVI PAWLING IS TO BE COLONEL.

OF THE TOWN OF MARBLETOWN.

FIRST COMPANY.

Captain, Cornelius E. Wynkoop.
First Lieutenant, Charles W. Brodhead.
Second Lieutenant, Moses M. Cantine.
Ensign, Jacob Chambers.

SECOND COMPANY.

Captain, Frederick Schoonmaker, Jr.
First Lieutenant, Benjamin Louw.
Second Lieutenant, Jacobus Rosekrans.
Ensign, John C. De Witt.

OF THE TOWN OF ROCHESTER.

FIRST COMPANY.

Captain, Petrus Schoonmaker.
First Lieutenant, Philip Hoornbeck.
Second Lieutenant, Cornelius Harden-
bergh.
Ensign, Dyrck Westbrooke.

Second Lieutenant, Reuben De Witt.
Ensign, Johannes A. De Witt.

THIRD COMPANY.

Captain, Jochem Schoonmaker, Jr.
First Lieutenant, John Depuy.
Second Lieutenant, Cornelius Van Wag-
onen.
Ensign, Zacharias Rosekrans.

SECOND COMPANY.

Captain, Andries Bevier.
First Lieutenant, Richard Brodhead.

OF THE TOWN OF NEW PALTZ.

FIRST COMPANY.

Captain, Lewis J. Du Bois.
First Lieutenant, John A. Hardenbergh.
Second Lieutenant, Matthew Lefevre.
Ensign, Methusalem Du Bois.

SECOND COMPANY.

Captain, Jacob Hasbrouck, Jr.
First Lieutenant, Abraham Deyoe, Jr.
Second Lieutenant, Petrus Hasbrouck.
Ensign, Samuel Bevier.

The following is a copy of a statement found among the old papers of Peter Marius Groen, who was the administrator of the estate of Peter Van Gaasbeek, deceased in 1798.

"A TRUE ACC'T OF THE DWELLING HOUSES OUTHUSES BARRACKS DESTROYED AT KINGSTON 16 OCT^r 1777 BY OUR ENEMIES UNDER THE COMMAND OF MAJ. G. VAUGHAN

NAMES	Houses	Barns	Barracks	Storehouses or Shops
Col Abm Hasbrouck.....	1	2	—	1
Johs Wynkoop.....	1	1	2	1
Anthony Freer.....	1	1	—	—
Doc'r Jac's Elmendorph.....	1	1	2	—
James Roe.....	1	—	1	—
Joseph Gasherje.....	1	1	—	—
Abm Turek.....	1	—	1	—
Nathan Smedes.....	—	1	—	—
Mary Elmendorph.....	3	1	3	1

NAMES	Houses	Barns	Barracks	Storehouses or Shops
Nich's Bogardus.....	1	1	—	—
Abm Van Gaasbeek.....	1	1	—	—
Abm Masten.....	1	1	—	—
Teunis Slegt.....	1	1	—	—
Matthew Ed Thompson.....	1	1	—	—
Philip Houghtaling.....	1	1	—	—
Will'm Kirby.....	1	1	1	—
Abm Harmanse.....	1	1	1	—
Oke Sudam.....	1	1	—	—
Nich's Van Derlyn.....	1	1	—	—
Joh's Persen.....	1	1	—	—
Petrus Vroom.....	1	1	—	—
Fran's P Roggen.....	1	1	—	—
Johs Masten.....	1	1	—	—
W ^m Elsworth.....	1	1	—	—
Christopher Tappen.....	1	1	—	—
Abm Elting.....	1	1	—	—
Anthony Hoffman.....	1	1	2	1
John Dumont.....	1	1	1	—
Doct Luke Kiersted.....	1	1	—	—
Corn's Johnson.....	1	1	—	—
Abm Low.....	—	1	—	—
Johs Slegt.....	1	1	1	—
Jan Elmendorph.....	1	1	—	—
Egbert Dumont.....	1	1	—	—
Abm De La Meter.....	1	1	—	—
Jacob Tremper.....	—	—	—	2
Dirck Wynkoop.....	2	2	1	} Brew- house.
Philip Van Beuren.....	1	1	—	
Abm V Gaasbeek Jr.....	1	1	—	1
Jacob Marius Groen Jr.....	1	1	—	—
Corn's Wynkoop.....	1	—	1	—
Corn's Masten.....	2	1	—	—
Ezekiel Masten.....	1	1	—	—
Jan Elmendorph.....	1	1	—	—
Henry Slegt Jr.....	2	3	—	—
Jacob Turck.....	1	1	—	—
Corns Beekman.....	1	1	—	—
Cath. Kiersted.....	1	1	1	—
Geartruy Bogardus.....	1	1	—	1
Petrus Bogardus.....	1	1	1	1
Jacobus Low.....	1	1	—	—
Kingston Church.....	—	—	—	—
Benj'n Low.....	1	—	—	—
Cornelia Low.....	1	1	1	—
David Cox.....	1	1	—	—
Abm Brinkerhoff.....	1	1	—	—
Kingston Court House.....	—	—	—	—
Joh's Freer.....	1	1	—	—
Elias Hasbrouck.....	1	1	—	—
Doc C Elmendorph.....	2	1	—	—
Corn's Veelie.....	1	1	1	—
Anneke Elting.....	1	1	—	—
Abm Hasbrouck Jr.....	1	1	—	—
Elizabeth Elting.....	1	1	1	—
Matthew Persen.....	1	1	—	—
Trustees, Academy and School-house.....	2	1	—	—
Gerrit Van Keuren.....	1	1	2	—
Henry Slegt.....	1	1	—	—
David DeLametter.....	1	1	2	—
Johs Jansen.....	1	1	1	—
Rich'd Inglis.....	1	1	—	—
Tobias V Steenberg.....	1	1	—	—
Rev Mr Doll.....	1	1	—	—

NAMES	Houses	Barns	Barracks	Storehouses or Shops
Johs Van Keuren.....	1	1	—	—
Lena V. Steenberg.....	1	1	—	—
John Beekman.....	1	1	—	—
Tobias Swart.....	1	1	—	—
Evert Bogardus.....	1	1	—	1
Doc'r Jones.....	1	1	—	—
Ad'm Swart.....	1	1	—	—
Peter Swart.....	1	1	1	—
Abm Freer.....	1	1	—	—
Corn's Elmendorph.....	1	1	1	1
Jno McClean.....	1	1	—	—
Tobias V Buren.....	1	1	—	—
Solomon Freer.....	1	1	—	—
Peter Dumont.....	1	1	1	—
Johs Snyder.....	1	1	—	—
Jacob Heermanse.....	1	1	—	—
Coen'r't Elmendorph.....	1	1	—	—
Coenraedt Crook.....	1	—	1	—
Corn's V Keuren.....	1	1	—	—
Joh's Masten Jr.....	1	—	1	—
Petrus Hudler.....	1	—	—	—
Benj'n Elmendorph.....	1	—	1	—
John Whitaker.....	1	1	—	—
James Hamilton.....	1	1	—	—
Matthew Van Steenberg.....	1	1	—	—
Benjn Masten.....	1	1	—	—
Atm Elmendorph.....	1	1	—	1
Jacob T Broeck.....	*	1	2	—
Jacobus Lefferts.....	*	1	2	—
Johs De Witt.....	1	1	—	—
Philip Swart.....	1	—	1	—
Moses Cantine.....	1	1	1	1
Teunis Houghteling.....	1	1	1	—
Joh's H Sleght.....	1	1	—	1
Wilhel's Houghteling.....	1	—	—	—
Petrus Sleght.....	1	—	1	—
Ann V Steenberg.....	1	1	1	—
Benj'n T Broeck.....	1	1	3	—
Isaac Burhans.....	1	1	1	—
Petrus Burhans.....	—	1	—	—
Sam'l Whitaker.....	1	—	—	—
Benj'n Swart.....	1	—	—	—
	115	103	46	17
Church Courthouse Academy.....	3			

* There is a hole in the paper, so that it cannot be seen whether there has been any mark or not.

STATEMENT OF THE ALLOTMENT OF THE FIVE THOUSAND ACRES OF LAND CONTRIBUTED BY ROBERT R. LIVINGSTON FOR THE RELIEF OF THE SUFFERERS FROM THE BURNING OF KINGSTON BY THE BRITISH.

THE tract was subdivided into one hundred lots of fifty acres each, and those lots arranged into ten classes, each class comprising ten lots. The allotments were as follows :

CLASS ONE.—Lot *one*, Moses Cantine ; *two*, Oke Sudam ; *three*, Cornelia Low ; *four*, John Whitaker ; *five*, Jacobus and Cornelius Elmendorph ; *six*, Evert Bogardus ; *seven*, Ariantje Elmendorph ; *eight*, heirs of Teunis Houghteling, deceased ; *nine*, David Cox ; *ten*, Abraham Low.

CLASS TWO.—Lot *one*, John Dumont ; *two*, Johannis Jansen ; *three*, Abraham Freer ; *four*, the heirs of Hendrick Plough ; *five*, Nicholas Bogardus ; *six*, heirs of Johannes B. De Witt ; *seven*, Petrus Burhans ; *eight*, Abraham Van Gaasbeek, Jr. ; *nine*, heirs of Benjamin Masten ; *ten*, Petrus Bogardus.

CLASS THREE.—Lot *one*, Luke Kiersted ; *two*, James Hamilton ; *three*, Philip Swart ; *four*, Petrus Hudler ; *five*, Anthony Hoffman ; *six*, Johannis Persen ; *seven*, Tobias Van Steenbergh ; *eight*, Henry Slegt ; *nine*, Thomas Van Steenbergh ; *ten*, heirs of William Elting.

CLASS FOUR.—Lot *one*, Christopher Tappen ; *two*, Matthew Persen ; *three*, Egbert Du Mont ; *four*, Abraham Van Gaasbeek ; *five*, Derick Wynkoop ; *six*, Jacob Tremper ; *seven*, Mary Elmendorph ; *eight*, Johannis Wynkoop ; *nine*, Joseph Gasherie ; *ten*, Abraham Hasbrouck.

CLASS FIVE.—Lot *one*, Frantz P. Roggen ; *two*, Johannis Van Keuren ; *three*, Abraham Hasbrouck, Jr. ; *four*, David De Lametter ; *five*, the heirs of Cornelius Veilie ; *six*, Benjamin Swart ; *seven*, Helena Van Steenbergh ; *eight*, Abraham J. De Lametter ; *nine*, Coenraedt J. Elmendorph ; *ten*, Jacob Turck.

CLASS SIX.—Lot *one*, Johannis Slegt ; *two*, Petrus Swart ; *three*, Tobias Van Buren ; *four*, Jan Elmendorph ; *five*, Abraham Masten ; *six*, Jacobus Low ; *seven*, James Roe ; *eight*, Anthony Freer ; *nine*, Jacob Heermanse ; *ten*, Benjamin Elmendorph.

CLASS SEVEN.—Lot *one*, Johannes Masten ; *two*, Adam Swart ; *three*, Coenraedt Crook ; *four*, Ezekiel Masten ; *five*, Catharine Kiersted ; *six*, Elias Hasbrouck ; *seven*, Abraham Heermanse ; *eight*, the heirs of Matthew Ed. Thompson ; *nine*, Cornelius Jansen ; *ten*, Gerritje Van Keuren.

CLASS EIGHT.—Lot *one*, William Ellsworth ; *two*, Jacob Ten Broeck ; *three*, John McLean ; *four*, Cornelius Elmendorph ; *five*, the heirs of Solomon Freer ; *six*, Philip Van Buren ; *seven*, John Beekman ; *eight*, the heirs of Abraham Turck ; *nine*, William Eltinge ; *ten*, Cornelius Beekman.

CLASS NINE.—Lot *one*, Cornelius Masten ; *two*, Peter Dumont ; *three*, heirs of Henry J. Slegt ; *four*, Tobias Swart ; *five*, Elizabeth Eltinge ; *six*, Jeremiah and Wilhelmus Houghteling ; *seven*, Wilhelmus Houghteling, Jr. ; *eight*, Benjamin Ten Broeck ; *nine*, Abraham Elmendorph ; *ten*, Johannes Snyder.

CLASS TEN.—Lot *one*, Petrus Whitaker ; *two*, Petrus Slegt ; *three*, Isaac, Abraham, and Samuel Burhans ; *four*, Nicholas Van Derlyn ; *five*, Jacob Marius Groen, Jr. ; *six*, Coenraedt E. Elmendorph ; *seven*, Johannes B. Masten ; *eight*, Teunis Slegt ; *nine*, Matthew Van Steenbergh ; *ten*, Benjamin Low.

"AN ACCOUNT OF THE ENGLISH SCHOOL IN KINGSTON, FROM THE
15 MAY TO THE 16 OCTOBER, ANNO DOMINI 1777.

PARENTS' NAMES.	CHILDREN'S NAMES.
Peter Van Zandt.....	John Van Zandt, Peter Van Zandt, Polly Van Zandt, Mat- thew Van Zandt, Thomas Van Zandt.
Richard Ten Eyck.....	Philip Ten Eyck, Jeryntje Ten Eyck, Betsey Ten Eyck, Hannah Ten Eyck.
Benjamin Low.....	Rebekah Low, Jane B. Low.
Thomas Pettit.....	Thomas Pettit, Richard Pettit, Polly Pettit, Thomas Warner.
William Radly.....	Jacob Radly.
James Eltinge.....	John Eltinge.
Corn's E. Wynkoop.....	Evert Wynkoop.
John H. Sleght.....	Polly Sleght.
Rev'd Dr. Rodgers.....	Betsey Rodgers.
Peter Mesier.....	Peter Mesier.
Col. Nicoll.....	John Nicoll.
Mr. Ogilvie.....	John Ogilvie, Sally Ogilvie, Anthony Ogilvie, Thomas Ogilvie.
Jacob Tremper.....	William Tremper.
Jacobus Low.....	Abraham I. Low, Jane I Low, Betsey Low.
Dr. Luke Kiersted.....	Caty Kiersted, Anne Kiersted.
Anneke Eltinge Wid.....	James Eltinge, Edward Eltinge.
David DeLametter.....	Anthony DeLametter, Abraham D DeLametter.
Andries DeWitt, Junr.....	Isaac Dewitt.
Hezekiah Schoonmaker...	Henry Schoonmaker.
John Dumont.....	Gertruy Dumont, Sally Dumont.
Tobias Van Beuren.....	Cornelius Van Beuren, Isaac Van Beuren.
Gerretje Van Keuren.....	Levi Van Keuren.
Joseph Gasherie.....	Cornelia Tappen.
Christopher Tappen.....	John Tappen, Cornelia Tappen, George Tappen.
Philip Hooghteling.....	Rachel Hooghteling, William Hooghteling.
William Eltinge.....	Jane Eltinge, Jacobus Eltinge, Nelly Eltinge.
Henry Jansen.....	Anneke Jansen, Helena Jansen.
Ephraim Low.....	Jacobus Low, Jr.
Edward Schoonmaker.....	Caty Schoonmaker.
Benjamin Ten Broeck.....	Peter Ten Broeck, Benj Ten Broeck.
Jan Elmendorph.....	Corn's I. Elmendorph, Martin Elmendorph, Eliz Elmen- dorph.
Dr. Coen'd Elmendorph...	Jacobus Elmendorph.
Rev'd Mr. Doll.....	Adam Doll.
Abraham Freer.....	Rachel Freer, Claartje Freer.
Antoni Hoffman.....	Caty Hoffman.
Gov'r G. Clinton.....	Caty Clinton.
Jacob Ten Broeck.....	Jac. Ten Broeck, Jr.
Mr. Leecraft.....	Polly Leecraft, Richard Leecraft.
James Roe.....	James Roe Jun.
Rob. R. Livingston.....	Archibald Cambell.
Direk Wynkoop Jun.....	Ariaantje Wynkoop, Caty Wynkoop, Sally Wynkoop.
Jacobus Van Gaasbeek....	Caty Van Gaasbeek, Peggy Van Gaasbeek.
Cornelius Persen.....	Caty Persen.
William Kirby.....	Margery Woolsey.
Abraham Elmendorph.....	Corn's A Elmendorph.

PARENTS' NAMES.	CHILDREN'S NAMES.
Jonathan Elmendorph.....	Sally Elmendorph.
James Beckman.....	John Beckman.
Miss Studdiford.....	Rebeka Studdiford.
Oke Sudam.....	Betsey Suidam.
Abraham Heermanse.....	Sally Heermanse.
Philip Swart	Anna Swart, Sally Swart.
Mr. Dunscumb.....	Samuel Dunscumb.
Mr. Peckwell.....	Betsey Peckwell, Henry Peckwell, Polly Peckwell.
John Kiersted	John Kiersted.
Joh's Van Bunschoten.....	John Van Bunschoten, Peter Van Bunschoten.

When the towns of Hurley, Marbletown, and Rochester were organized, it became necessary for the several towns, including Kingston, to elect supervisors for the apportionment of the county expenses, and each town designated one supervisor. In the year 1743 the legislative Assembly divided the southern part of the county into three precincts—Wallkill, Shawangunk, and Highland. By the same act each town in the county was authorized to elect one supervisor and the other town officers; but Kingston, including the Manor of Foxhall, were allowed two supervisors.

A list of supervisors, under the colonial government, elected in Kingston, is given as far as practicable. It cannot be made complete by reason of the loss of records.

Bruyn, Severyn, 1758; Croke, John, 1723, '45, '53, '54; Delamater, Cornelius, 1733, '34, '46; Dumont, Johannis, 1737, '38, '39, '40; Dumont, John, 1765; De Witt, Andries, Jr., 1772; Elting, William, 1730, '31, '32; Elting, Jan, 1746, '57; Elmendorph, Petrus Edmundus, 1755, '56, '59 to '65 inclusive; Hasbrouck, Abraham, 1747, '57; Hoffman, Anthony, 1752; Kiersted, Hans, 1706; Livingston, Gilbert, 1740, '41, '44, '45; Lowe, Abraham, 1766 to '70 inclusive, '75, '76, '80; Mattysse, Mattys, 1688, '89; Mattysse, Jan, 1689; Provost, Benjamin, 1688, '89; Post, Jan, 1712; Rutsen, Jacob, 1688; Sleght, Anthony, 1748; Snyder, Johannes, 1771, '72, '73; Ten Broeck, Wessel, 1725, '26, '29; Van Keuren, Abraham, 1747 to '51 inclusive, 1758 to '64 inclusive, '70, '71, '73, '75; Wynkoop, Evert, 1714; Wynkoop, Johannis, 1717 to '21 inclusive, '27, '28, '42, '43, '44; Wynkoop, Evert, Jr., 1749 to '56 inclusive; Wynkoop, Dirck, Jr., 1765 to '69 inclusive.

The following are the names of supervisors under the State Government prior to 1822:

Dewitt, Andries, Jr., 1781, '83; Dumont, John, 1784; Elmendorph, Coenraedt C., 1778, '79, '82; Gasherie, Joseph, 1782; Hasbrouck, Abraham, 1781, '83; Jansen, John H., 1820, '21, '22; Kiersted, Luke, 1801 to '04 inclusive; Marius Groen, Jacob, 1798, '99; Myer, Abraham, 1819; Sleght, Henry, Jr., 1785; Sleght, Henry, 1800; Snyder, Johannes, 1780, '84, '85, '87, '88; Swart, William, 1805 to '16 inclusive; Van Derlyn, Peter, 1794 to '97 inclusive; Van Gaasbeek, Peter, 1787 to '93 inclusive; Van Gaasbeek, Thomas, 1817, '18; Wynkoop, Dirck, Jr., 1778, '79.

The following is a list of the persons who were selected from among the trustees to perform magisterial duties under the charter.

There is no record to be found prior to 1713, and none were designated subsequent to 1775. The number designated each year was five. There is no account of those designated in the years 1716, '22, '23, '24, and '25.

Bogardus, Petrus, 1743, '53, '56.

Beekman, Jolin, 1769, '72, '74, '75.

Crooke, John, 1714, '15, '27, '28, '29.

Davenport, John, 1713, '20, '21, '30 to '37 inclusive.

Dunont, John B., 1727.

“ Pieter, 1749, '50, '52, '62, '63.

DeWitt, Tjerck, 1730, '31, '33, '34.

“ Henry, 1747, '48, '51.

“ Andries, 1760, '61.

“ “ Jr., 1763 to '69 inclusive, '89.

De Lametre, Johannis, 1738, '40, 41.

“ David, 1739, '40, '44, '45, '46, '48, '49, '50, '52, '53, '54.

Du Bois, Louis M., 1732, '33.

“ Johannis, 1764, '73.

Eltinge, Roeliff, 1713, '14.

“ William, 1718, '41, '43.

“ Jan, 1751, '53.

“ Jacobus, 1757.

Elmendorph, Coenraedt, 1717, '18, '37.

“ Cornelis, 1744 to '52 inclusive.

“ Petrus Ed., 1752, '54, '55, '56, '59.

“ Gerrit, 1758.

Elsworth, William, 1760, '61, '62, '66.

Gasherie, Joseph, 1772, '73.

Hermans, Andrew, 1718, '19, '26.

Hoffman, Nicholas, 1720, '21, '37.

“ Anthony, 1742, '45, '56, '57, '58, '65, '69 to '75 inclusive.

Houghteling, Wilhelmus, Jr., 1773.

Hasbrouck, Abraham, 1752.

Janse, Hendrick, 1715, '20, '32.

“ Johannis, 1735, '36, '38 to 41 inclusive, '44 to '47 inclusive, '59 to '63 inclusive.

“ Cornelis, 1748, '51, '52, '53, '55, '56.

Jansen, Henry, 1764, '65.

Lachaire, John, 1717.

Low, Abraham, 1728, '30, '39, '40, '41, '67, '69.

“ Johannis, 1729, '30.

Mattison, Tjerck, 1713, '15.

Masten, Johannis, 1731.

“ Cornelius, 1749.

“ Benjamin, 1767, '68.

“ Ezekiel, 1765 to '68 inclusive, '71.

Post, Jan, 1712.

Pruyn, Hendrick, 1714, '15, '20, '21.

Persen, Cornelis, 1764.

“ Adam, 1750, '51, '57, '58, '70, '71, '72.

Plough, Poulons, 1765, '66.

Rutsen, John, 1714.

Slecht, Antony, 1735.

“ Jan, 1735, '38, '40 to '44 inclusive.

“ Johannis, 1731, '34, '57 to '62 inclusive, '70, '71.

- Slecht, Hendrick, 1759, '74, '75.
 " Abraham, 1763, '64.
 Snyder, Johannes, 1754 to '62 inclusive, '70.
 Swart, Adam, 1763, '66, '67, '68.
 Tappen, Christophel, 1718, '27, '28, '29, '33 to '36 inclusive, '39, '40.
 " Juryan, 1737, '38.
 " Christopher, 1768 to '75 inclusive.
 Ten Broeck, Jacob, 1727 to '31 inclusive.
 " Johannes, 1733, '34, '42, '43.
 " Wessel, 1719.
 " John, 1735, '36.
 Turck, Johannes, 1732, '33.
 Vandenberg, Geysbert, 1729.
 Van Keuren, Tjerk, 1726.
 Vielle, Philip, 1721, '27, '28.
 Van Buren, Tobias, 1742, '43, '44.
 " Cornelius, 1754, '55.
 Van Gaasbeek, Abraham, 1770, '72, '74, '75.
 Wynkoop, Johannes, 1713, '14, '15, '19, '20, '21, '38, '40, '42, '43, '44, '47, '50.
 " Evert, 1717, '18.
 " " Jr., 1745 to '50 inclusive, '52 to '56 inclusive.
 Whitaker, James, 1717, '26.
 " Edward, 1726.

PRESIDENTS OF THE MAGISTRATES.

- Crooke, John, Jr., 1727, '28, '29.
 Delameter, David, 1752, '53, '54.
 Elmendorph, Coenraedt, 1737.
 Eltinge, William, 1741, '43.
 " Jan, 1751.
 Elsworth, William, 1766.
 Hoffman, Nicholas, 1724, '25.
 " Anthony, 1765, '69, '73.
 Janse, Johannes, 1738, '39, '44, '45, '46, '47, '63.
 Low, Abraham, 1767.
 Persen, Cornelis, 1764.
 " Adam, 1770, '71, '72.
 Snyder, Johannes, 1757, '58, '60, '61, '62.
 Slecht, Hendrick, 1774, '75.
 Tappen, Christophel, 1732 to '35 inclusive, '40.
 " Christopher, 1768.
 Ten Broeck, Jacob, 1730, '31.
 Wynkoop, Johannes, 1720, '21, '42, '50.
 " Evert, Jr., 1748, '49, '55, '56.
 Whitaker, Edward, 1726.

THE FOLLOWING IS A LIST OF THE SPEAKERS OR PRESIDING OFFICERS OF THE TRUSTEES AS FAR AS THEY CAN BE ASCERTAINED FROM THE RECORDS.

- Crooke, John, Jr., 1727, '29.
 Chipp, John, 1816.
 Dumont, Johannes, 1740.
 De Witt, Andries, Jr., 1781, '83, '86, '89.
 Elmendorph, Coenraedt, 1716, '37.

Eltinge, William, 1741, '43.

Hoffman, Nicholas, 1722 to '25 inclusive.

Janse, Johannis, 1738, '39, '44 to '47 inclusive, '59.

Marius Groen, Peter, 1793 to 1803 inclusive, 1805 to '15 inclusive.

Slecht, Johannis, 1773.

Sleght, Henry J., 1782.

“ Henry, 1804.

Snyder, Johannis, Jr., 1757, '58, '60 to '68 inclusive, '71, '84, '85, '88, '90.

Swart, Adam, 1770.

Tappen, Christophel, 1732 to '35 inclusive, '39, '40.

Ten Broeck, Jacob, 1728 to '31 inclusive.

Van Buren, Tobias, 1791.

Van Keuren, Abraham, 1751.

Wynkoop, Johannis, 1712 to '15 inclusive, '19, '20, '21, '42, '49.

“ Evert, 1717, '18.

“ Jr., 1748, '50, '52 to '56 inclusive.

“ Derick, Jr., 1769, '72, '74, '75, '78, '79, '80, '87.

Whitaker, Edward, 1726.

Yeomans, Moses, 1792.

ALPHABETICAL LIST OF THE TRUSTEES OF THE FREE-HOLDERS AND COMMONALTY OF THE TOWN OF KINGSTON FROM THEIR INCORPORATION IN 1688 TO THEIR DISSOLUTION IN 1816.

From 1689 to and including 1711 the list is incomplete, by reason of the loss of the minutes; the names have been gathered, as far as practicable, from the record of deeds executed by them. The residue are taken from the minutes and are complete, except for the year 1777. The minutes for that year, as appears by an entry made by their clerk, Christopher Tappen, in the Book of Minutes, were burned with his papers in the conflagration of Kingston.

Note.—The year named is the year of election on the first Tuesday of March.

Aertse, Jacob, 1688, '89, '93, '94.

" Gerrit, 1688, '89, '92, '98, 1700, '01, '02, '04, '05.

Anthony, Nicholas, 1693.

Albertse, Hendrick, 1695.

Burhans, Jan, 1693, '98.

Beekman, Henry, Jr., 1714.

Bogardus, Petrus, 1731, '32, '33, '35 to '43 inclusive, '52 to '56 inclusive, '59.

Beekman, Thomas, 1732, '33, '34, '38 to '41 inclusive.

Bruyn, Severyn, 1753, '58.

Beekman, John, 1758, '69, '72, '74, '75, '76.

Bogardus, Evert, 1784, '85, '90 to 1803 inclusive, '05 to '09 inclusive.

Bruyn, Jacobus S., 1787, 1800.

Beekman, Cornelius, 1790, '91.

Bogardus, Jacob E., 1810, '11.

Boorhans, Cornelius, 1812.

Crooke, John, Jr., 1714, '15, '16, '22, '23, '27, '28, '29, '45, '46, '47.

Cantine, Peter, 1720, '22, '25.

Cole, Martinus, 1804.

Chipp, Joseph, 1807, '08, '09, '10, '11.

" John, 1816.

Demyer, Wilhelmus, 1688, '89, '90, 1700, '01, '02.

Dewitt, Tjereck Clausen, 1692.

Dumond, Walvan, 1693.

Dewitt, Tjereck, 1694.

" Boudwyne, 1694, 1717, '18, '19, '21, '22, '25, '26, '27, '30, '31, '33, '34.

Dubois, Solomon, 1695.

" Pieter, 1705.

Dumont, Jan Babbiste, 1705, '06, '07, '08, '09, '27.

Dewitt, Andries, 1706, '07, '08, '09.

- Davenport, Jan or John, 1711, '12, '13, '19, '20, '21, '22, '24, '30 to '37 inclusive.
 Demyer, Nicholas, 1720.
 De Lametter, Cornelius, 1721, '23, '24, '25, '30.
 De Witt, Bastiaan, 1722, '28.
 Davis, Solomon, 1724.
 Du Bois, Matthys, 1725.
 De Lametter, Johannis, 1727, '28, '29, '34, '35, '36, '38 to '43 inclusive.
 Dumont, Igonas, 1730 to '34 inclusive, '36.
 Du Bois, Louis M., 1732, '33.
 De Lametter, David, 1732 to '36 inclusive, '38 to '50 inclusive, '52 to '55 inclusive.
 Dumont, Johannis, 1738, '39, '40.
 De Lametter, Jacobus, 1744.
 De Witt, Henry, 1744, '45, '46, '47, '48, '51.
 Dumont, Pieter, 1748 to '52 inclusive, '57 to '63 inclusive.
 Du Bois, Johannis, 1751-60 to '64 inclusive, '66, '67, '68, '70 to '73 inclusive.
 Dumont, Philip, 1757.
 De Witt, Andries F., 1760, '61.
 " " Jr., 1762 to '69 inclusive, '78 to '81 inclusive, '83, '85, '86, '89.
 De Lametter, Abraham, Jr., 1766.
 Dumont, Egbert, 1782.
 Dewitt, Tjerck, 1792, '95, '96, 1806, '07, '08, '09, '12.
 Du Bois, Jeremiah, 1788 to '96 inclusive, '98, '99, 1810 to '15 inclusive.
 Dewitt, Tjerck C., 1783, '90, '91, '93, '94, '97, '98, '99.
 Dumont, John, 1784.
 Delametter, David, 1788.
 " " Jr., 1792.
 Du Bois, Joshua, Jr., 1813, '14, '15.
 Decker, Peter R., 1816.
 Degraff, Solomon, 1816.
 Elisse, Teunis, 1688, '92, '99, 1700, '06, '07, '08.
 Elmendorph, Coenradt, 1695, 1702, '07, '08, '16, '17, '18, '37.
 " Jacobus, 1705, '06, '07, '08, '10.
 Eltinge, William, 1711, '15, '16, '18, '19, '21, '23 to '26 inclusive, '40, '41, '43.
 " Roeliff, 1711, '13, '14.
 Elmendorph, Cornelis, 1742 to '52 inclusive.
 Eltinge, Jacobus, 1750, '55, '56, '57, '59.
 Elmendorph, Petrus Ed., 1751 to '56 inclusive, '59.
 Eltinge, Jan, 1751, '53 to '56 inclusive.
 Elmendorph, Gerrit, 1757, '58.
 Elsworth, William, 1759 to '66 inclusive, '69, '76, 1804.
 Elmendorph, Jonathan, 1769, '74, '75, '76, '78, '79.
 Eltinge, William, 1774, '75, '82.
 " Henry, 1792, '94.
 Elmendorph, Coenraedt C., 1781, '82.
 " " G., 1783, '94, '95, '96.
 " Peter, 1804.
 Freer, Anthony, 1788.
 " Samuel, 1794, '95, '96, '98, '99, 1805.
 Fiero, Stephen, 1797, '98.
 " Abraham, 1810 to '15 inclusive.
 Gasherie, Joseph, 1771 to '80 inclusive, '82.
 Hooghten, John Williams, 1688.
 Haines, William, 1688.
 Hendricks, Jan, 1689, '93.
 Heermans, Jan, 1692, '94, '98, 1744, '45, '46.
 Hogeboom, Cornelis, 1693.

- Hendricks, Egbert H., 1695.
 Hooghteling, Phillip, 1705.
 Hardenbergh, Johannes, 1707, '08, '09, '12.
 Heermans, Henricus, 1712, '13.
 " Andrew, 1716, '17, '18, '19, '21, '23, '26.
 Harris, William, 1724.
 Hoffman, Nicholas, 1712, '20 to '25 inclusive, '37.
 " Anthony, 1742, '43, '45, '46, '47, '49, '51, '55 to '58 inclusive, '63, '69 to '76 inclusive, '78, '79, '80.
 Hooghteling, Wilhelmus, Jr., 1745 to '50 inclusive, '57 to '73 inclusive.
 " Phillip, 1778 to '84 inclusive.
 " Thomas, 1794, '95, '96, '97, '99, 1805 to '09 inclusive.
 " Teunis, 1784.
 " Abraham, 1788, 1801, '02, '03.
 Hasbrouck, Abraham, 1752.
 Hoffman, Abraham, 1800, '01, '02, '03.
 Hasbrouck, Jonathan, 1800, '01, '04.
 " Abraham J., 1804.
 " Henry, 1807, '08, '09.
 Hermance, John, 1805 to '09 inclusive, '12.
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 " Hendrick, 1714, '15, '17, '18, '19, '20, '22, '24, '32, '37.
 " Johannes, 1729, '30, '31, '35, '36, '38 to '47 inclusive, '59 to '63 inclusive.
 " Cornelis, 1748 to '56 inclusive, '87, '89.
 Jansen, Henry, 1764, '65, '78 to '86 inclusive, 1816.
 Kiersted, Hans, 1705, '30, '31.
 " Aldert, 1713, '16, '17, '22, '23, '25.
 " Luke, 1780, '81, '82, '89, 1804.
 " Nicholas, 1782, '84.
 " Christopher C., 1816.
 Legg, William, 1688, '94, '95, '99, 1700, '01, '02, '17, '27, '28, '29.
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 " Jacobus, 1694, '99, 1700, '01, '06.
 " Cornelis, 1710, '11, '13, '14, '17, '18, '19.
 Lachair, Jan, 1695, '99, 1700, '01, '05, '06, '16, '17.
 Low, Abraham, 1716, '17, '19, '26, '27, '28, '30, '34, '35, '36, '38 to '43 inclusive, '67, '68, '69, '81.
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 Livingston, Gilbert, 1740, '41.
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 " Benjamin, 1772, '74, '75, '76, '78 to '81 inclusive, '83, '85 to '89 inclusive.
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 " Jan, 1689, '92, '94.
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 Mattison, Tjerek, 1712, '13, '15, '16.
 Masten, Johannes, 1715, '16, '25, '29, '30, '31.
 " Benjamin, 1754, '55, '56, '67, '68, '71.
 " Ezekiel, 1764 to '68 inclusive, '70, '71, '73.
 Marius Groen, Jacob, Jr., 1784 to '88 inclusive.
 " " Peter, 1785, '86, '87, '89 to 1803 inclusive, '05 to '15 inclusive.
 Myer, Benjamin, 1790, '91.
 " Tobias, 1792, '93.
 " Ephraim, 1805, '06.
 " Teunis, 1810 to '15 inclusive.
 " Tjerek, 1816.

- Myer, Abraham, 1816.
 Noxon, Thomas, 1699, 1700, '01, '02.
 Nottingham, William, 1704.
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 " Tennis, 1800.
 " William, Jr., 1810 to '15 inclusive.
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 " Jan, 1737.
 " Poulons, 1765, '66, '70.
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 " Johannis, 1772, '83.
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 Schepmoes, William, 1712, '13, '14, '20, '21, '22.
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 " Johannis, 1729, '31, '34, '36.
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 Salisbury, Lawrence, 1737.
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 " Johannis, 1754 to '73 inclusive, '88, '91, '92.
 Snyder, Johannis, Jr., 1754 to '68 inclusive, '70, '71, '72, '84, '85, '87, '88, '90, '93, '94.
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 " Philip, 1788, '90 to '99 inclusive.
 Schoonmaker, Hendrick, 1794 to 1803 inclusive.
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- Schepmoes, William, 1798, '99.
 Swart, William, 1800, '01, '02, '03, '05 to '15 inclusive.
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 " Benjamin, 1804.
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 Schoonmaker, Henry H., 1816.
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 " Arent, 1693.
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 inclusive.
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 " Juryan, 1724, '37, '38.
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 '01, '02, '03, '05, '06.
 Ten Broeck, Benjamin, 1785, '86, '87.
 " Wessel, 1789.
 Teerpenning, Abraham, 1794 to '99 inclusive, 1805 to '09 inclusive.
 " Jacobus, 1800, '01, '02, '03.
 Tremper, John, 1802, '03, '04.
 Teerpenning, William, 1809.
 Vredenburgh, William, 1695.
 Van Name, Jochem, 1695.
 Vernovy, Cornelis, 1705.
 Van Steenbergh, Thomas, 1706.
 Van Benthuyzen, Barent, 1707, '08, '09.
 Vandenberg, Geysbert, 1710, '12, '13, '23, '24, '25, '29, '30.
 Van Wagonen, Aert, 1711, '13, '14, '15.
 Van Keuren, Mattys, 1715.
 Van Vleet, Arie, 1718.
 Van Keuren, Tjereck, 1719, '25, '26, '38, '39, '40, '41.
 Van Benschoten, John, 1720.
 Vielle, Philip, 1720, '21, '22, '27, '28.
 Van Buren, Tobias, 1723, '26, '42, '43, '44.
 Van Benschoten, Solomon, 1728, '37.
 Van Keuren, Abraham, 1745 to '52 inclusive.
 Van Buren, Cornelis, 1754, '55, '56.
 Van Gaasbeek, Abraham, 1769 to '75 inclusive.
 " Jacobus, 1774 to '81 inclusive, '83, '97.
 Van Keuren, Johannis, 1776.
 Van Buren, Tobias, 1781, '82, '84, '87, '88, '90, '91, 1800 to '03 inclusive.
 Van Aken, Abraham G., 1797.
 Vanderlyn, Peter, 1798, '99.
 Van Vliet, John, 1790, '91, 1800, '01, '02, '03, '05 to '15 inclusive.
 Van Gaasbeek, Thomas, 1804.
 Van Leuven, John, 1804.
 Van Keuren, Philip, 1810 to '15 inclusive.
 Van Aken, John E., 1810 to '15 inclusive.

Van Benschoten, Johannis, 1784.

Van Steenbergh, John, 1784, '89.

Van Keuren, Garret, 1785, '86, '87, '89 to '93 inclusive.

Van Gaasbeek, Abraham, Jr., 1787, '89.

Van Steenbergh, Tobias, 1789.

Van Buren, Philip, 1793.

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Wynkoop, Gerrit, 1693, 1704, '06, '07, '08, '09, '13.

“ Evert, 1693, '95, '98, '99, 1700, '01, '02, '04, '11, '17, '18.

“ Johannis, 1699, 1700, '01, '02, '04, '10, '12, '13, '14, '15, '19, '20, '21, '38 to '50 inclusive.

Westbrook, Johannis, 1694.

Whitaker, James, 1707, '16, '17, '26.

“ Edward, 1701, '02, '05, '06, '09, '26, '57.

Wynkoop, Evert, Jr., 1742, '44 to '50 inclusive, '52 to '56 inclusive.

“ Derick, Jr., 1764 to '76 inclusive, '78, '79, '80, '87.

Winfield, John, 1813, '14, '15.

Yeomans, Moses, 1792, '93, 1805 to '11 inclusive.

LIST OF DIRECTORS OF THE VILLAGE OF KINGSTON IN 1805 TO AND INCLUDING 1820.

PRESIDENTS.

Joseph Chipp, 1806, '07, '08, '11, '12.

James C. Elmendorf, 1813 to '20 inclusive.

Jacob Marius Groen, 1810.

Abraham Myer, 1816, resigned.

Tobias Van Buren, 1805.

John Van Steenbergh, 1809.

DIRECTORS.

Bruyn, James J., 1805.

Beekman, John, 1806, '07, '08.

“ Thomas, 1809.

Burhans, Cornelius, 1814 to '20 inclusive.

Chipp, Joseph, 1806, '07, '08, '11, '12.

Couch, Seth, 1813.

Cockburn, James, 1813.

Elmendorph, Martin, 1806, '07, '08, '13, '16, '17, '18, '19.

“ Coenrad Ed., 1811, '12.

“ James C., 1813 to 1820 inclusive.

Gardinier, Barent, 1805, '06.

Hasbrouck, Henry, 1806, '07, '08.

“ James, 1809.

Hermance, John, 1809, '10, '11, '12.

Jansen, Levi, 1810.

“ Henry, 1819.

Marius Groen, Jacob, 1810.

Masten, Abraham A., 1810, '11, '12.

Myer, Abraham, 1814 to '18 inclusive.

Sudam, John, 1807, '08.

Swart, Teunis J., 1813 to '20 inclusive.

Tappen, George, 1809.

“ Christopher, Jr., 1810.

Van Buren, Tobias, 1805.

Van Steenbergh, John, 1805, '09.

Van Keuren, Philip, Jr., 1805.
 Van Steenbergh, Peter, 1814, '15.
 Van Keuren, Abraham G., 1820.

The following is a list of delegates sent to represent the county of Ulster at the various assemblies at the years given. Usually after 1691 the date of the succeeding Assembly shows the year of the dissolution of its predecessor.

DELEGATES FROM ULSTER.

1683. Henry Beekman, William Ashford.
 1685. Names of delegates not known. Dissolved before holding session.

ULSTER AND DUTCHESS COUNTIES.

1691. Henry Beekman, Thomas Garton.
 1693. Thomas Garton, Jacob Rutsen.

ULSTER COUNTY.

1695. Henry Beekman, William Demire.
 1698. Abraham Hasbrook, Thomas Garton.
 1699. Jacob Rutsen, Abraham Hasbrook.
 1701. Jacob Rutsen, Adrien Gerritsen.
 1702, '05, '08, '09, '10, '11. Henry Beekman, Thomas Garton.
 1712. Henry Beekman, Jacob Rutsen.
 1716. Abraham Gaasbeek Chambers, Jacob Rutsen.
 1726, '27. Abraham Gaasbeek, Albert Pawling.
 1728. Abraham Gaasbeek Chambers, Albert Pawling.
 1737. Abraham G. Chambers, John Hardenbergh.
 1738. John Hardenbergh, Abraham Hasbrook.
 1743. Abraham Gaasbeek Chambers, Abraham Hasbrook.
 1745. Albert Pawling, John Hardenbergh.
 1748. Abraham Hasbrook, Johannis Janse.
 1750. John Hardenbergh, Johannis Janse.
 1752. Johannis Janse, Moses De Pue, Jr.
 1759, '61. Abraham Hasbrook, Jacobus Bruyn.
 1768, '69. George Clinton, Charles De Witt.

MEMBERS OF THE PROVINCIAL CONVENTION FROM ULSTER COUNTY.

1775, April.—Charles De Witt, George Clinton, Levi Pawling.
 “ May.—Johannes Hardenbergh, James Clinton, Egbert Dumont, Charles Clinton, Christopher Tappen, John Nicholson, Jacob Hoornbeek.
 “ Dec.—Henry Wisner, Matthew Rea, Dirck Wynkoop, Jr., Matthew Cantine, Andries De Witt, Andries Lefever, Thomas Palmer, Samuel Brewster.

REPRESENTATIVES IN CONGRESS FROM ULSTER COUNTY.

Continental Congress, 1775 to '77, George Clinton.
 Articles of Confederation, 1784, Charles De Witt.
 “ “ 1788, John Hathorn.

UNDER UNITED STATES CONSTITUTION.

First Congress, 1789 to '91, John Hathorn.
 Second Congress, 1791 to '93, Cornelius C. Schoonmaker.
 Third Congress, 1793 to '95, Peter Van Gaasbeek.

Fifth, Sixth, and Seventh Congresses, 1797 to 1803, Lucas Elmendorph.

Eighth Congress, 1803 to '05, Josiah Hasbrouck.

Ninth Congress, 1805 to '07, Martin G. Schuneman.

Tenth and Eleventh Congresses, 1807 to '11, Barent Gardinier.

Thirteenth Congress, 1813 to '15, Abraham Hasbrouck.

Fifteenth Congress, 1817 to '19, Josiah Hasbrouck.

Sixteenth Congress, 1819 to '21, Jacob H. De Witt.

Seventeenth Congress, 1821 to '23, Charles H. Ruggles.

SENATORS FROM ULSTER COUNTY UNDER THE CONSTITUTION OF 1777.

1777 to '82, Levi Pawling.
 1782 to '84, Thomas Palmer.
 1790 to '97, John Cantine.
 1793 to '96, Joseph Hasbrouck.
 1797 to '99, Christopher Tappen.
 1798 to 1800, John Addison.
 1801 to '05, Jacobus S. Bruyn.
 1810 to '13, Johannis Bruyn.
 1814 to '17, Lucas Elmendorph.
 1818 to '21, John Lounsbery.
 1823, Abraham Hasbrouck.

MEMBERS OF ASSEMBLY FROM ULSTER COUNTY UNDER THE CONSTITUTION OF 1777.

NAME.	SESSION.	NAME.	SESSION.
Addison, John.....	16, 19	De Witt, John C.....	16, 18, 20, 21,
Abeel, Gerritt	22	“ John A.....	23
Adams, Aaron.....	39	“ Abm. Ten Eyck....	21, 22
Bevier, Andries.....	2	Du Bois, Matthew.....	31
Boyd, Robert, Jr.....	3, 4	De Lametter, John.....	14
Bruyn, Johannis.....	5, 6, 20, 23	“ Jacob.....	14
“ James.....	11	Dumond, Joshua.....	15
“ Severyn T.....	13, 16, 18	Doll, William.....	32
“ Cornelius.....	17	Deyo, Joseph.....	41
“ Jacobus S.....	21, 22	Elmendorf, Coenraedt E....	42, 43
“ Charles.....	45	“ Lucas.....	17, 24, 31
Bevier, Philip D.....	16, 19, 21	Elting, Philip.....	27, 28
“ Benjamin.....	24, 25, 27, 33	“ Isaac.....	24
“ Conrad.....	37, 44	Foote, Ebenezer.....	43
Bowman, Phineas.....	21	Gallatian, David.....	15, 17, 19, 20
Barber, John.....	21	Graham, John G.....	9, 10
Brodhead, Charles W.....	23	Gillespie, William G.....	14
“ Wessell.....	38	Hardenbergh, John G....	44
“ John, Jr.....	45	“ Johannis.....	1, 3, 4, 8, 12
Burr, John.....	20	“ Abraham.....	13
Cantine, John.....	3, 4, 7, 8, 10,	Hardenburgh, Abm. J.....	5
“ Moses.....	11, 12	Hasbrouck, Abraham.....	33
“ Jr.....	23	“ Joseph.....	35
“ Peter A.....	26	“ Josiah.....	5, 33
Clark, Ebenezer.....	40	“ Joseph, Jr.....	9, 14, 15
“ Daniel.....	10, 12, 13, 15	“ Jacob J.....	20, 25, 29
Clinton, James.....	37, 42	Hunter, James.....	24, 27
Crawford, Francis.....	11	Hawkins, Samuel.....	45
Conklin, John.....	20	Jansen, Thomas.....	5, 6, 7, 14
Coddington, Jacob.....	30, 33, 34, 40	“ Henry.....	34
Crispell, John.....	35	“ Levi.....	9
De Witt, Charles.....	42		35
	5, 6, 7, 8, 11		41

NAME.	SESSION.	NAME.	SESSION.
Kain, James	26	Schoonmaker, Cornelius C..	1, 2, 3, 4, 6,
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Lefevre, Peter, Jr.....	22, 32		12, 13, & 18
Lowe, Cornelius.....	26, 31, 32	Snyder, Johannis.....	1, 2, 9, 10, 14
Lounsberry, John.....	29, 34	“ Benjamin.....	25, 26
Lefevre, Isaac.....	31	“ Jacob.....	43, 44
Lake, Wells.....	44	Smith, Nathan.....	2, 3, 4, 7, 8,
Malcolm, William.....	6		9, 10, 11, 12,
Miler, Johannis.....	17		13, 16
“ Green.....	37, 39, 40	“ Nehemiah L.....	34
McCord, Andrew.....	18, 19, 21	“ Samuel.....	41
Marius, Groen, Jacob.....	30	Sears, Benjamin.....	20
Martin, Darius.....	38	“ Elnathan.....	25, 29, 35
Nicholson, John.....	6, 7, 8	Schumman, Martin G.....	22, 23
Oliver, James.....	17, 19, 20	Swart, William.....	32
Ostrander, Elisha.....	42	Staples, David.....	38, 41
Palmer, Thomas.....	3	Stokes, William A.....	45
Parks, William.....	39	Tappen, Christopher.....	12, 13
Rea, Matthew.....	1, 2	“ Jr.....	40
“ Jacob.....	30	Tremper, Jacob W.....	18
Ross, James.....	27, 28	Tuthill, Selah.....	28
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NOTE.—The writer intended to correct a portion of the statement on page 64 in regard to the "manor house," but neglected it until too late for the text. The manor house referred to on the Kiersted farm which was torn down a few years ago was built in 1691. The traditionary evidence is that the original house of Thomas Chambers was located nearer the village and where Mr. Hayes's house now is.

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